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Washington, Tuesday, October 29, 1946

The President

PROCLAMATION 2708

EMERGENCY DUE TO HOUSING SHORTAGE—
FREE IMPORTATION OF TIMBER, LUMBER,
AND LUMBER PRODUCTS

BY THE PRESIDENT OF THE UNITED STATES
OF AMERICA
A PROCLAMATION

WHEREAS the long-term housing shortage and the war have combined to create an unprecedented emergency shortage of housing, particularly for veterans of World War II and their families; and

WHEREAS section 1 of the Veterans' Emergency Housing Act of 1946 recognizes the aforesaid unprecedented emergency; and

WHEREAS it is imperative that immediate action be taken on a temporary basis to increase the available supplies of timber, lumber, and lumber products for housing purposes:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the Constitution and laws of the United States, and in particular by section 318 of the Tariff Act of 1930 (46 Stat. 590, 696), do hereby declare an emergency to exist, and do hereby authorize the Secretary of the Treasury to permit, until the termination of the provisions of the Veterans' Emergency Housing Act of 1946, or until the President shall have declared that the emergency declared herein has terminated, whichever shall first occur, under such regulations and subject to such conditions as the Secretary may deem necessary, the importation free of duty of any articles which the Housing Expediter designates and certifies as timber, lumber, or lumber products suitable for the construction or completion of housing accommodations.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 25th day of October in the year of our Lord nineteen hundred and [SEAL] forty-six, and of the Independence of the United States of America the one hundred and seventy-first.

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Acting Secretary of State.

[F. R. Doc. 46-19620; Filed, Oct. 28, 1946;
10:51 a. m.]

EXECUTIVE ORDER 9793

CREATING AN EMERGENCY BOARD TO INVESTIGATE DISPUTES BETWEEN THE ATLANTA & ST. ANDREWS BAY RAILWAY COMPANY AND OTHER CARRIERS, AND CERTAIN OF THEIR EMPLOYEES

WHEREAS disputes exist between The Atlanta & St. Andrews Bay Railway Company and certain other carriers designated in list A attached hereto and make a part hereof, and certain of their employees represented by the fifteen co-operating railway labor organizations designated in list B attached hereto and made a part hereof; and

WHEREAS these disputes have not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS these disputes, in the judgment of the National Mediation Board, threaten substantially to interrupt interstate commerce to a degree such as to deprive the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160), I hereby create a board of three members, to be appointed by me, to investigate the said disputes.

Each of the carriers involved shall be given independent consideration in such investigation, and the said labor organizations shall be permitted to function as a unit in proceedings before the board.

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No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said disputes within thirty days from the date of this order. The report of the board shall contain separate and independent findings with respect to each of the carriers involved.

As provided by section 10 of the Rail-
way Labor Act, as amended, from this
date and for thirty days after the board
has made its report to the President, no
change, except by agreement, shall be
made by any of the carriers involved or
their employees in the conditions out of
which the said disputes arose.

HARRY S. TRUMAN

THE WHITE HOUSE,
October 25, 1946.

LIST A

Atlanta & St. Andrews Bay Railway Company
Atlantic & East Carolina Railway Company
Barre & Chelsea Railroad Company
Belfast & Moosehead Lake Railroad Company
Berlin Mills Railway Company
Columbus & Greenville Railway Company
East Tennessee & Western No. Carolina Rail-
road
Ft. Dodge, Des Moines & Southern Railway
Georgia & Florida Railroad Company
Lackawanna & Wyoming Valley Railroad
Company
Lake Champlain & Moriah Railroad Company
Macon, Dublin & Savannah Railroad Com-
pany
Midland Terminal Railway Company
Missouri & Arkansas Railway Company
New York, Ontario & Western Railway Com-
pany
Port Utilities Commission
Quannah, Acme & Pacific Railway Company
Rapid City, Black Hills & Western Railroad
Company
Rio Grande Southern Railroad
Rutland Railroad Company
St. Johnsbury & Lake Champlain Railroad
Toledo, Peoria & Western Railroad
Wichita Falls & Southern Railroad Company

LIST B

International Association of Machinists
International Brotherhood of Boilermakers,
Iron Ship Builders and Helpers of America
International Brotherhood of Blacksmiths,
Drop Forgers and Helpers
Sheet Metal Workers' International Associa-
tion
International Brotherhood of Electrical
Workers
Brotherhood of Railway Carmen of America
International Brotherhood of Firemen, Oil-
ers, Roundhouse and Railway Shop La-
borers
Brotherhood of Railway and Steamship
Clerks, Freight Handlers, Express and
Station Employees
Brotherhood of Maintenance of Way Em-
ployes
The Order of Railroad Telegraphers
Brotherhood of Railroad Signalmen of
America
National Organization of Master, Mates &
Pilots of America
National Marine Engineers' Beneficial Assoc-
iation
International Longshoremen's Association
Hotel and Restaurant Employees' Interna-
tional Alliance and Bartenders' Int.
League of America

[F. R. Doc. 46-19560; Filed, Oct. 25, 1946;
3:42 p. m.]

EXECUTIVE ORDER 9794

DESIGNATING THE SOLICITOR OF THE DE-
PARTMENT OF THE INTERIOR TO ACT AS
UNDER SECRETARY OR ASSISTANT SECRE-
TARY OF THE INTERIOR

By virtue of the authority vested in
me by section 179 of the Revised Statutes
(5 U. S. C. 6), and in the interest of the
internal management of the Govern-
ment, I hereby authorize and designate
the Solicitor of the Department of the
Interior, when so directed by the Secre-
tary of the Interior, to perform the
duties of the Under Secretary of the In-
terior or of an Assistant Secretary of the
Interior in the event of the death, res-
ignation, absence, or sickness of the Un-
der Secretary or of an Assistant Secre-
tary of the Interior, respectively.

HARRY S. TRUMAN

THE WHITE HOUSE,
October 26, 1946.

[F. R. Doc. 46-19622; Filed, Oct. 28, 1946;
10:51 a. m.]

EXECUTIVE ORDER 9795

RESTORING CERTAIN LANDS TO THE JURIS-
DICTION OF THE TERRITORY OF HAWAII

WHEREAS, by Executive Order No.
146 of the Governor of the Territory of
Hawaii, dated April 27, 1934, certain
lands of Maui Island, situated at Mala
Landing, Lahaina, Maui, Hawaii, were
set aside for the purposes of the United
States Navy Department, to be used as a
section base and radio station; and

WHEREAS these lands are no longer
needed for the use of the Navy Depart-
ment, and it is deemed advisable and in
the public interest that they be restored
to the use of the Territory of Hawaii:

NOW, THEREFORE, by virtue of the
authority vested in me by section 91 of
the act of April 30, 1900 (31 Stat. 159),

as amended by section 7 of the act of May 27, 1910 (36 Stat. 447), and as President of the United States, it is ordered that the following-described land at Mala Landing, Lahaina, Maui, Hawaii, be, and it is hereby, restored to the jurisdiction of the Territory of Hawaii:

Beginning at the Southeast corner of this piece, on the North side of 50 foot road Reserve, the coordinates of said point of beginning referred to Government Survey Trig. Station "Laina" being 4686.1 feet South and 6256.3 feet West, as shown on Government Survey Registered Map No. 2414, and running by true azimuths:

1. 97°05' 355.0 feet along North side of 50 Foot Road Reserve to point at highwater mark;

2. Thence along highwater mark, the direct azimuth and distance being: 204°30' 495.5 feet;

3. 320°38' 40.0 feet along road reservation for connection with road leading to Mala Wharf;

4. 320°38' 300.0 feet along proposed warehouse site reserved for the Board of Harbor Commissioners;

5. 16°32' 241.8 feet along government land to the point of beginning. Area 2 85/100 acres.

HARRY S. TRUMAN

THE WHITE HOUSE,
October 26, 1946.

[F. R. Doc. 46-19621; Filed, Oct. 28, 1946;
10:51 a. m.]

Regulations

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration

PART 24—THE FEDERAL LAND BANK OF LOUISVILLE

FEES FOR PARTIAL RELEASES

Section 24.5 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 24.5 *Fees for partial releases.* Effective ten days after publication in the Federal Register, a partial release fee of \$10.00 will be charged on all partial releases where an appraisal is made in connection with a Federal land bank loan, a Land Bank Commissioner loan or joint Federal land bank and Land Bank Commission loans. (Sec. 13 "Ninth," 39 Stat. 372, sec. 26, 48 Stat. 44, sec. 32, 48 Stat. 48, as amended, sec. 2, 48 Stat. 345; 12 U. S. C., 781 "Ninth," 723 (e), 1016 (e) and Sup., 1020a [Res. Bd. Dir., September 16, 1946].

The Federal Land Bank of Louisville acting in its own behalf and as attorney-in-fact for the Federal Farm Mortgage Corporation.

[SEAL] M. S. KENNEDY, Jr.,
President.

Confirmed:

L. A. SKENE,
Assistant Secretary.

[F. R. Doc. 46-19416; Filed, Oct. 28, 1946;
8:53 a. m.]

Chapter III—Farm Security Administration

Subchapter A—Administration

PART 300—GENERAL

AUTHORITY TO SELL CERTAIN LANDS IN JEFFERSON COUNTY, OREG.

Correction

In paragraph (c) of § 300.17, Federal Register Document 46-18765, appearing in the issue of Friday, October 18, 1946, page 12221, the reference to the Acting Regional Director of Region II should read "Acting Regional Director of Region XI".

TITLE 7—AGRICULTURE

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 45, Termination]

PART 1491—BEANS

RESTRICTIONS ON PURCHASE AND DELIVERY

War Food Order No. 45 (11 F. R. 11062), is hereby terminated. Beans set aside under the provisions of War Food Order No. 45, prior to the effective date of this order are hereby released.

This order shall become effective at 12:01 a. m., e. s. t., October 24, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 45, all provisions of said order shall be deemed to remain in force for the purpose of sustaining any proper suit, action, or other proceeding, with respect to any such violation, right, liability, or appeal.

(E. O. 9280, December 5, 1942, 7 F. R. 10179; E. O. 9577, June 29, 1945, 10 F. R. 8087; sec. 2 (a), 54 Stat. 676, as amended, 50 U. S. C. War App. Sup. 1152 (a))

Issued this 24th day of October 1946.

[SEAL] N. E. DODD,
Acting Secretary of Agriculture.

[F. R. Doc. 46-19422; Filed, Oct. 28, 1946;
8:52 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5404]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

CUSTOM HOUSE PACKING CORP. ET AL.

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale and distribution of food products or other commodities in commerce, paying or granting anything of value as a commission or brokerage, or any compensation, allowance, or discount in lieu thereof, to any purchaser upon purchases made for his own account, or to any agent, representative or other intermediary acting in fact for or in behalf of or subject to the direct or indirect control of the purchaser to whom sale is made; prohibited.

(Sec. 2 (c), 49 Stat. 1527; 15 U. S. C., sec. 13 (c)) [Cease and desist order, Custom House Packing Corporation et al., Docket 5404, September 23, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 23d day of September, A. D. 1946.

In the Matter of Custom House Packing Corporation, a Corporation, and Julian G. Burnette, as President, and Frank J. Leard, as Vice President of Custom House Packing Corporation, and Wilbur-Ellis Company, a Corporation, and Brayton Wilbur, as President, and Thomas G. Franck, as Vice President and Treasurer of Wilbur-Ellis Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondents, which answer admits all material allegations of fact in said complaint and waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that respondents named in the caption hereof have violated the provisions of subsection (c) of section 2 of an act of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (the Clayton Act), as amended by an Act of Congress approved June 19, 1936 (the Robinson-Patman Act):

It is ordered, That respondents Custom House Packing Corporation, a corporation, Julian G. Burnette and Frank J. Leard as president and vice president, respectively, of Custom House Packing Corporation, Wilbur-Ellis Company, a corporation, and Brayton Wilbur and Thomas G. Franck as president and vice president, respectively, of Wilbur-Ellis Company, their respective representatives, agents, and employees, directly or through any corporate or other device, in connection with the sale and distribution of food products or other commodities in commerce as "commerce" is defined in the aforesaid Clayton Act as amended, do forthwith cease and desist from:

(1) Paying or granting anything of value as a commission or brokerage, or any compensation, allowance, or discount in lieu thereof, to any purchaser upon purchases made for his own account or to any agent, representative, or other intermediary acting in fact for or in behalf of or subject to the direct or indirect control of the purchaser to whom sale is made.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 46-19449; Filed, Oct. 28, 1946;
8:48 a. m.]

[Docket No. 5428]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

HIGH SEAS TUNA PACKING CO., INC.

§ 3.45 (e) *Discriminating in price—Indirect discrimination—Brokerage payments.* In connection with the sale or distribution of fish, fish products, or other merchandise in commerce, paying or granting, directly or indirectly, anything of value as a commission or brokerage, or any compensation, allowance, or discount in lieu thereof, to any purchaser upon purchases for his own account, or to any agent, representative, or other intermediary acting in fact for or in behalf of or subject to the direct or indirect control of the purchaser to whom sale is made; prohibited. (Sec. 2 (c), 49 Stat. 1527; 15 U. S. C., sec. 13 (c)) [Cease and desist order, High Seas Tuna Packing Company, Inc., Docket 5428, October 2, 1946]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 2d day of October A. D. 1946.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the substitute answer of respondent, in which answer respondent admits all the material allegations of fact set out in said complaint and waives all intervening procedure and further hearing as to the facts, and the Commission having made its findings as to the facts and its conclusion that respondent has violated the provisions of the Act of Congress entitled "An Act to supplement existing laws against unlawful restraints and monopolies, and for other purposes," approved October 15, 1914 (the Clayton Act), as amended by Act approved June 19, 1936 (the Robinson-Patman Act);

It is ordered, That respondent High Seas Tuna Packing Company, Inc., its officers, representatives, agents, and employees, directly or through any corporate or other device, in or in connection with the sale or distribution of fish, fish products, or other merchandise in commerce, as "commerce" is defined in the aforesaid Clayton Act as amended, do forthwith cease and desist from:

Paying or granting, directly or indirectly, anything of value as a commission or brokerage, or any compensation, allowance, or discount in lieu thereof, to any purchaser upon purchases for his own account, or to any agent, representative, or other intermediary acting in fact for or in behalf of or subject to the direct or indirect control of the purchaser to whom sale is made.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.[F. R. Doc. 46-19450; Filed, Oct. 28, 1946;
8:45 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs

[T. D. 51522]

PART 6—AIR COMMERCE REGULATIONS

AIRPORTS OF ENTRY

Redesignation of Felts Field, Spokane, Wash.

Felts Field, Spokane, Washington, is hereby redesignated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U. S. C. title 49, sec. 179 (b)), for a period of 1 year from October 1, 1946.

The list of temporary airports of entry in § 6.13, Customs Regulations of 1943 (19 CFR, Cum. Supp., 6.13), is hereby amended by changing the date of designation opposite the name of this airport to "October 1, 1946."

Publication of notice and public procedure with respect to redesignation of Felts Field as an airport of entry is found impracticable for the reason that the notice and public procedure thereon cannot be afforded prior to the expiration of the previous designation of such airport.

The date of redesignation of Felts Field as an airport of entry shall be effective immediately, the requirements of section 4 (c) of the Administrative Procedure Act (Public Law 404, 79th Congress) being dispensed with because of the lapsing of previous designation of this airport.

(Sec. 7 (b), 44 Stat. 572, sec. 611, 58 Stat. 714; 49 U. S. C. Sup., 177 (b))

[SEAL]

O. MAX GARDNER,

Acting Secretary of the Treasury.

OCTOBER 22, 1946.

[F. R. Doc. 46-19454; Filed, Oct. 23, 1946;
8:45 a. m.]

TITLE 21—FOODS AND DRUGS

Chapter I—Food and Drug Administration

PART 141—TESTS AND METHODS OF ASSAY FOR ANTIBIOTIC DRUGS

PENICILLIN

Correction

In Federal Register Document No. 46-18660, appearing at page 12128 of the issue for Thursday, October 17, 1946, the following changes should be made:

1. In paragraph (c) of § 141.1 the reference to "(ph. 6.0)" should read "(pH 6.0)"; in paragraph (g) (1) the last line of the equation should read " $w = (uH + SH) - (UL + SL)$ "; and in paragraph (h), line 10, the reference to "mm" should be "cm".

2. The charts on pages 12130, 12131, and 12132 should be numbered Chart 2, 1, and 3, respectively, and should appear in correct numerical order.

3. The last word in § 141.2 (a) (2) (iii) should be "is".

4. In § 141.7 (b), line 2, the first word should read "except".

PART 146—CERTIFICATION OF BATCHES OF PENICILLIN-CONTAINING DRUGS

Correction

In Federal Register Document No. 46-18661, appearing at page 12136 of the issue for Thursday, October 17, 1946, the following changes should be made:

1. In § 146.1 (a), line 4, the word "Penicillum" should be "Penicillium."

2. In § 146.3 (c), line 6, the word "drugs" should read "drug."

3. In § 146.4 (b) (6) (i), third line, the word "the" should be deleted.

4. A semi-colon should be placed after § 146.7 (b).

5. All references to section 502 (numeral 1) should read section 502 (letter l).

6. In § 146.20 (d), line 14, the words "act of" should read "act or."

7. In the first line of § 146.25 the word "and" should be inserted after the word "oil," and in paragraph (b), line 3, the word "a" should be deleted.

8. In § 146.29 (c) (4) (iii), line 3, the word "the" should read "its."

9. In the first sentence of § 146.30 (a) the word "substance" should read "substances."

10. In § 146.31, line 3, a parenthesis should be inserted after the word "salt."

11. In § 146.32, line 4, a parenthesis should be inserted after the word "vasoconstrictor."

12. In § 146.33 (d) (2) a colon should be inserted after the word "of" instead of a semicolon.

13. In § 146.35 (a) the word "grams" should read "gram" and in paragraph (d) (2) (ii) the colon should be a semicolon.

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Premium Payments Reg. 1, as Amended Aug. 30, 1946, Amdt. 1]

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

STRUCTURAL CLAY PRODUCTS

Section 805.1 Premium Payments Regulation is amended as follows:

1. Subdivision (v) of subparagraph (c) (i) is amended to read as follows:

(v) Upon application therefor, a special quota adjusted for any number of consecutive months of the year may be established by the Expediter with respect to a plant where, customarily, because of the effect of weather conditions on plant operations, the production of clay products during said months is substantially less than production in the other months of the year.

2. Issued and effective this 28th day of October 1946.

WILSON W. WYATT,
Housing Expediter.[F. R. Doc. 46-19628; Filed, Oct. 28, 1946;
11:20 a. m.]

TITLE 29—LABOR

Chapter VI—National Wage Stabilization Board

PART 807—WAGE ADJUSTMENT BOARD AREA WAGE RATES

AREA WAGE RATES IN BUILDING AND CONSTRUCTION INDUSTRY

Correction

In Federal Register Document 46-18659, appearing at page 12155 of the issue for Thursday, October 17, 1946, the following change is made in § 807.36: In the first column of page 12171 the head-note "Statewide Rates" should appear centered over the heading "Power equipment operators", as the seventeenth line from the bottom of the column.

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration For War, Department of the Interior

[SFAW Order 40]

PART 602—GENERAL ORDERS AND DIRECTIVES

FILING OF DATA BY CERTAIN DOCK OPERATORS AND OTHERS

In order to effectuate the purposes of Executive Order No. 9332 (8 F. R. 5355), it is necessary that the Solid Fuels Administration for War obtain data concerning bituminous coal inventories and receipts by dock operators and others in certain areas. Therefore, pursuant to the provisions of Executive Order No. 9332, it is ordered that:

§ 602.910 *Data to be filed by certain lake receivers.* Each person who receives coal by vessel or barge at a dock or other unloading facility located in the United States on Lake Superior, on the Sault Ste. Marie, on the Straits of Mackinac, or on the West Bank of Lake Michigan north of but excluding Waukegan, Illinois, shall file, on or before the 29th day of October 1946 with the Solid Fuels Administration for War, Washington 25, D. C., by telegram if necessary, the following information concerning lake-borne bituminous coal:

(a) Total tons on dock or other storage facility on January 1, 1946.

(b) Total tons received during the period January 1, 1946 through October 26, 1946.

(c) Total tons which are expected to be received during the period October 27, 1946 through December 31, 1946.

§ 602.911 *Bureau of the Budget approval.* This order has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942 and regulations issued thereunder.

§ 602.912 *Penalty provisions.* Any person who willfully violates any provision of this order, or who, by any act or omission, falsifies information furnished in connection with this order, is subject, upon conviction, to fine or imprisonment, or both.

(E. O. 9125, April 10, 1942; E. O. 9332, April 24, 1943; 7 F. R. 2719; 8 F. R. 5355; sec. 2 (a), 54 Stat. 676, as amended by 55

Stat. 236, 56 Stat. 176, 58 Stat. 827, 59 Stat. 658; 41 U. S. C., note preceding sec. 1; 50 U. S. C. App. Supp. V 1152, 633)

Issued this 23d day of October 1946.

DAN H. WHEELER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 46-19417; Filed, Oct. 28, 1946; 8:49 a. m.]

[SFAW Order 41]

PART 602—GENERAL ORDERS AND DIRECTIVES
STATEMENTS TO BE FILED BY SHIPPERS OF COAL IN DISTRICTS 7 AND 8

An order requiring shippers of coal produced in Districts Nos. 7 and 8 to file reports as to shipments made in excess of obligations as provided for in Notice of Direction No. 2 under § 602.876 issued October 16, 1946.

In order to effectuate the purposes of Executive Order No. 9332 (8 F. R. 5355), it is necessary that the Solid Fuels Administration for War obtain data concerning shipments of Districts Nos. 7 and 8 coals to certain areas on the upper Great Lakes and in the Southeastern United States which are in excess of the limitations prescribed by Revised Regulation No. 32, as amended (11 F. R. 8575; 11 F. R. 10282; 11 F. R. 11560), but authorized by the provisions of Notice of Direction No. 2 under § 602.876 of Revised Regulation No. 32 (11 F. R. 12351). Therefore it is ordered:

§ 602.920 *Statements to be filed by shippers of coal in Districts 7 and 8.* Each shipper of coal produced in Districts 7 and 8 shall, on or before November 10, 1946, file with the Solid Fuels Administration for War, Washington 25, D. C., a statement setting forth the name and address of each receiver to whom he shipped excess tonnage pursuant to the provisions of the Notice of Direction (No. 2 under § 602.876) Relating to Shipments of Coal Produced in Districts 7 and 8 to Certain Destinations on the Upper Great Lakes and Southeastern United States, and the tonnage, by sizes, shipped to each during the period October 16, 1946 through October 31, 1946; and on or before the 10th day of each succeeding month thereafter he shall file a similar statement of such data concerning shipments of excess tonnage during the preceding calendar month.

§ 602.921 *Effective date.* This order shall become effective forthwith and shall remain in force until further notice.

§ 602.922 *Bureau of the Budget approval.* This order has been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942 and regulations issued thereunder.

§ 602.923 *Penalty provisions.* Any person who willfully violates any provision of this order, or who, by any act or omission, falsifies information furnished in connection with this order, is subject, upon conviction, to fine or imprisonment, or both.

(E. O. 9125, April 10, 1942; E. O. 9332, April 24, 1943; 7 F. R. 2719; 8 F. R. 5355; sec. 2 (a), 54 Stat. 676, as amended by

55 Stat. 236, 56 Stat. 176, 58 Stat. 827, 59 Stat. 658; 41 U. S. C., note preceding sec. 1; 50 U. S. C. App. Supp. V 1152, 633)

Issued this 23d day of October 1946.

DAN H. WHEELER,
Deputy Solid Fuels
Administrator for War.

[F. R. Doc. 46-19418; Filed, Oct. 28, 1946; 8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XI—Office of Price Administration

PART 1418—TERRITORIES AND POSSESSIONS
[RMPR 373, Amdt. 115 (§ 1418.151)]

DISTRIBUTION YARDS IN HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 50 of Revised Maximum Price Regulation 373 is amended in the following respects:

1. In paragraph (b), subparagraph designation (1) is deleted.
2. Paragraph (b) (2) is hereby revoked.
3. Paragraph (c) (2) is amended to read as follows:

(2) The maximum price for sales made on a drop shipment basis by a distribution yard or its agent and delivered to the buyer at the dock in the port of entry in the Territory of Hawaii shall be the sum of the following:

This amendment shall become effective as of September 17, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of the Considerations Involved in the Issuance of Amendment 115 to Revised Maximum Price Regulation 373

The accompanying amendment to section 50 makes the definition of a distribution yard more restrictive by revoking the provision (paragraph (b) (2)) which permitted sellers to qualify as distribution yards who performed some of the functions of a distribution yard but did not actually maintain a yard. The circumstances which made this provision necessary no longer apply since all distributors in the Territory now maintain a yard. At the same time subparagraph designation (1) is deleted so that paragraph (b) will contain no subparagraph designations.

The amendment also changes the wording of paragraph (c) (2) to clarify its meaning.

[F. R. Doc. 46-19440; Filed, Oct. 28, 1946; 8:57 a. m.]

PART 1301—MACHINE TOOLS

[MPR 1, Amdt. 11]

SECOND-HAND MACHINE TOOLS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith

and filed with the Division of the Federal Register.

Maximum Price Regulation 1 is amended in the following respects:

Section 1 (b) of Maximum Price Regulation 1 is amended to read as follows:

(b) A "second-hand machine tool" means a power, hand or foot driven machine which in normal use is customarily attached to a permanent support and is used for the shaping of metal by cutting, abrading, straightening, forcing, forging, or forming under pressure. (Portable tools as defined under RMPR 136 are not included in this definition). Welding equipment, machines for cutting metal by gas flame, and those made especially for laboratory use, are not included. The term "second-hand tool" includes second-hand standard equipment: i. e.; those second-hand accessories normally furnished with a new machine and normally included in its price when new.

A "second-hand extra" means any used attachment for a machine tool which is standard accessory equipment normally furnished by the manufacturer at additional cost to his price of the machine tool, any used attachment for a machine tool manufactured by a person other than the manufacturer of the machine tool to which it is attached, and all used attachments sold separately as replacement.

This amendment shall become effective November 2, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

*Statement of the Considerations Involved
in the Issuance of Amendment No. 11
Under Maximum Price Regulation No. 1*

This amendment changes the definition of "machine tools" in conformity with that of Maximum Price Regulation 67 (New Machine Tools). It is thought that a uniformity of definition is desirable since both regulations cover machine tools.

[F. R. Doc. 46-19660; Filed, Oct. 28, 1946;
11:45 a. m.]

PART 1301—MACHINE TOOLS

[MPR 67, Incl. Amdts. 1-5]

NEW MACHINE TOOLS

This compilation of Maximum Price Regulation 67 includes Amendment 5, effective November 2, 1946. The text added or amended by Amendment 5 is underscored.

In the judgment of the Price Administrator the maximum prices established by this revised regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and filed with the Division of the Federal Register.²

¹ 9 F. R. 7003.

² Statements of Considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

§ 1301.51 *Maximum prices for sales and rentals of new machine tools, attachments, and parts.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation 67 (New Machine Tools), which is annexed hereto and made a part hereof, is hereby issued.

ARTICLE I—SCOPE AND PROHIBITIONS OF THE REGULATIONS

Sec.

1. Scope.
2. Prohibitions.
3. Less than maximum prices.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

4. Maximum prices for sales.
- 4a. Sales by certain "Brand Name" sellers.
5. Maximum prices for rentals and leases.
6. Federal and state taxes.
7. Terms and conditions of sale.
8. Transfers of business or stock in trade.
9. Individual maximum prices.

ARTICLE III—MISCELLANEOUS

10. Applications for adjustment.
11. Petitions for amendment.
12. Adjustable pricing.
13. Records.
14. Reports.
15. Licensing.
16. Evasion.
17. Enforcement.

Appendix A—Form for reporting maximum prices and costs of machine tools of new design.

Appendix B—Form for applications for adjustment.

AUTHORITY: § 1301.51 issued under 56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; Pub. Laws 108 and 548, 79th Cong.; E. O. 9250, 7 F. R. 7871; E. O. 9328, 8 F. R. 4681; E. O. 9599, 10 F. R. 10155; E. O. 9651, 10 F. R. 13487; E. O. 9697, 11 F. R. 1691.

ARTICLE I—SCOPE AND PROHIBITION OF THE REGULATION

SECTION 1. *Scope*—(a) *Commodities and transactions.* This regulation establishes maximum prices for all domestic sales, rentals and leases of new machine tools, except for any lease of machine tools and parts by Defense Plant Corporation under a contract of lease which provides that machinery and equipment will be brought within the scope of the lease after purchase by the Defense Plant Corporation or the lessee for the account of Defense Plant Corporation, but which contract of lease does not provide for specific rental prices allocable to specific machines or parts. Domestic sales of new attachments and machine tool parts are also covered by this regulation when (1) the sale is made by a machine tool manufacturer or his dealer and (2) the attachment or part is designed for a machine tool produced by the machine tool manufacturer. The supplying of services which result in the production of a complete new machine tool shall be deemed to be a sale of the machine tool for the purposes of this regulation. Except as provided in section 7 (f), maximum prices for export sales and sales to exporters are established by the Second Revised Maximum Export Price Regulation³ or any revisions thereto. When used in this regulation the terms "export sale" and "exporter" have the meaning given to them by the

Second Revised Maximum Export Price Regulation.

[Paragraph (a) amended by Am. 2, 9 F. R. 12210, effective 10-11-44]

(b) *Geographical applicability.* This regulation applies in the forty-eight states of the United States and the District of Columbia, but not in the territories and possessions of the United States.

(c) *Definitions.* When used in this regulation, the term:

(1) "Machine tool" means a power, hand or foot driven machine which in normal use is customarily attached to a permanent support and is used for the shaping of metal by cutting, abrading, straightening, forcing, forging, or forming under pressure. (Portable tools as defined under Revised Maximum Price Regulation 136 are not included in this definition). Welding equipment, machines for cutting metal by gas flame, and those made especially for laboratory use, are not included. The term "machine tool" includes standard equipment, i. e., those new accessories normally furnished with the machine and normally included in its price.

[Subparagraph (1) amended by Am. 2, 9 F. R. 12210, effective 10-11-44; Am. 3, 11 F. R. 4402, effective 4-19-46 and Am. 5, effective 11-2-46]

(2) "Attachment" means any new accessory equipment furnished with a machine tool, or separately for use on the machine tool, and for which a separate charge is normally made.

(3) "Part" means any component part of a machine tool, or standard equipment or attachment when separately furnished, as for spares or for repair purposes.

(4) "Dealer" means any person engaged in the business of purchasing new machine tools, attachments or parts for resale.

(5) "Manufacturer" means a producer assembler or subcontractor who produces a complete machine tool, attachment or part from material owned either by him or by another, and any agent of the foregoing; but does not include any person whose work on the machine tool, attachment or part is restricted to the reconditioning or repair thereof.

(6) "Person" includes any individual, corporation, partnership, association, any other organized group of persons, legal successor or representative of any of the foregoing, and includes the United States, any agency thereof, any other government, or any of its political subdivisions, and any agency of any of the foregoing.

(7) "Portable machine tool" means a power driven machine designed to be taken to the material on which it is to be used and which in normal use is held or guided by hand in its operation, as distinguished from a stationed tool to which material is brought for processing.

[Subparagraph (7) added by Am. 2, 9 F. R. 12210, effective 10-11-44]

SEC. 2. *Prohibitions.* (a) On and after June 28, 1944 (except as provided in paragraph (b)):

³ 11 F. R. 9069, 10291, 11696.

(1) No person shall sell, deliver, lease, rent or negotiate the sale, lease or rental of any new machine tool, attachment or part at a price higher than the maximum fixed by this regulation.

(2) No person, in the course of trade or business, shall buy, rent, lease or receive any new machine tool, attachment or part at a price higher than the maximum fixed by this regulation. If the purchaser or lessee receives from the seller or lessor a written statement that the price does not exceed the maximum price, and if the purchaser or lessee has no reason to doubt the validity of this statement, the purchaser or lessee shall be deemed to have complied with this subparagraph.

(3) No person shall agree, offer, solicit or attempt to do any of the acts prohibited by subparagraphs (1) and (2).

(b) Nothing in this regulation shall be deemed to prohibit the fulfillment of any contract entered into before June 28, 1944, for the sale, lease or rental of any new machine tool, attachment or part, if the price under such contract was permissible under the maximum price regulation or price schedule which was applicable to the transaction at the time the contract was made.

SEC. 3. Less than maximum prices. Lower prices than those established by this regulation may be charged.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 4. Maximum prices for sales—(a) Maximum price. The maximum price for the sale by any person of any new machine tool, attachment or part shall be the manufacturer's price to a user in effect on October 1, 1941, plus the additions permitted by paragraphs (b) and (c), wherever applicable. The term "price in effect on October 1, 1941," means a list price in effect on that date, or a price which would have been quoted on that date under a method of quoting prices without further cost computation which was in effect on October 1, 1941. If the manufacturer had no price in effect on October 1, 1941, the maximum price for the sale by any person shall be the last price at which the manufacturer contracted to sell the new machine tool, attachment or part to a user during the period January 1, 1941, to October 1, 1941, inclusive, plus the additions permitted by paragraphs (b) and (c), wherever applicable.

(b) **Addition for resale discount or commission.** This paragraph is applicable to new machine tools, attachments or parts which the manufacturer did not customarily distribute through dealers. In such a case, if the manufacturer intends to distribute the new machine tool, attachment or part through dealers and if the maximum price established by paragraph (a) does not include an allowance for resale discount or commission, such an allowance may be added to the price determined under (a). This allowance shall not exceed the percentage for resale discount or commission used by the manufacturer in sales of the most nearly comparable new machine tool, attachment or part during the period January 1, 1941, to October 1, 1941, inclusive. If a manufacturer did not use any allowance for

resale discount or commission in determining a price for sales during the period January 1, 1941, to October 1, 1941, inclusive, the amount which may be added shall be an amount, in line with the allowance for resale discount or commission made by comparable manufacturers, specifically authorized by the Office of Price Administration. The manufacturer shall write to the Office of Price Administration, Washington, D. C., for such authorization. If the manufacturer does not file under this provision, the Office of Price Administration may of its own accord establish the allowance for resale discount or commission which may be added. This allowance shall be in line with that made by comparable manufacturers. The manufacturer shall notify his dealers, agents and distributors of the maximum price established by this paragraph, and that price shall be the maximum price for all sellers.

(c) **Effect of escalator clause invoked on or before October 1, 1941.** In the case of a new machine tool, attachment or part for which there was no price in effect on October 1, 1941, if on October 1, 1941, an existing contract of a manufacturer contained an escalator clause, and if on or prior to October 1, 1941, a delivery had been made under this contract at a price higher than the contract price, because the escalator clause had been invoked in whole or in part, the maximum price of the new machine tool, attachment or part shall be the last price at which it was delivered to a user by the manufacturer on or before October 1, 1941.

(d) **Formula prices.** The maximum price of any new machine tool, attachment or part that cannot be priced under paragraphs (a) to (c), inclusive, shall be determined as follows:

(1) **Manufacturers' maximum prices where there is a comparable machine tool—(i) Maximum price.** Where there is a comparable machine tool produced by the same manufacturer, the maximum manufacturer's price for a machine tool covered by this paragraph (d) shall be the maximum price established by this regulation for the most nearly comparable machine tool produced by the same manufacturer, adjusted to reflect increases or decreases in current manufacturing costs due to structural differences. If the manufacturer intends to distribute the machine tool through dealers, he shall add to this increase or decrease in factory cost the amount of the resale discount allocable to such change in factory cost. For example: Assuming a change in factory cost of \$225, and a resale discount of 10%, the amount of the resale discount allocable to the change in cost is \$25, which is added. The change in list price will be \$250 which, upon sale through a distributor at the 10% discount, will return to the manufacturer \$225, or the factory cost of the change.

[Subparagraph (1) amended by Am. 1, 9 F. R. 11062, effective 9-12-44]

(ii) **Report and approval of prices.** Prices determined under (i) must be approved by the Office of Price Administration. A manufacturer seeking such approval must file the information required by OPA Form 167:1 with

the Office of Price Administration, Washington, D. C., within ten days after he receives his first order for the machine tool. If the Office of Price Administration does not object to the proposed price within fifteen days after the mailing of the required report, the proposed price shall be deemed to be approved. If the manufacturer does not file the required report, the Office of Price Administration may establish a maximum price of its own accord. This price will be in line with the level of maximum prices established by this regulation.

(2) **Manufacturers' maximum prices for the first order where there is no comparable machine tool—(i) Maximum price.** Where there is no comparable machine tool produced by the same manufacturer, the maximum manufacturer's price for the first order of a machine tool covered by this paragraph (d) shall be determined as follows: The manufacturer shall use the same method of computation and the costs of labor, material, and the overhead and profit rate which were in effect in his plant on October 1, 1941. However, for any purchased equipment or subcontracted services, the manufacturer shall use actual prices paid by him, not in excess of the applicable maximum price. If the manufacturer did not have a price determining method for machine tools in effect on October 1, 1941, he shall use the labor rates and material prices in effect in his locality on October 1, 1941, and a price determining method approved in writing by the Office of Price Administration. A manufacturer seeking such approval shall apply to the Office of Price Administration, Washington, D. C.

(ii) **Report and approval of prices.** Prices determined under (i) must be approved by the Office of Price Administration. A manufacturer seeking such approval must file the information required by OPA Form 694-971 with the Office of Price Administration, Washington, D. C., within ten days after he contracts to sell the machine tool. This form is set out in Appendix A. If the Office of Price Administration does not object to the proposed price within fifteen days after the mailing of the required report, the proposed price shall be deemed to be approved. If the manufacturer does not file the required report, the Office of Price Administration may establish a maximum price of its own accord. This price will be in line with the level of maximum prices established by this regulation.

(iii) **Report after production is completed.** Within forty-five days after the manufacturer has completed production of the first order for a machine tool, which must be priced under this subparagraph (2), he shall file with the Office of Price Administration, Washington, D. C., the information required by OPA Form 694-971, on a copy of that form. This form is set out in Appendix A. Cost submitted on this report must be based on the actual labor hours and actual quantities of materials used in the production of the first order of the machine tool.

(3) **Manufacturers' maximum prices for the second and all subsequent orders**

where there is no comparable machine tool or attachment. Where there is no comparable machine tool produced by the same manufacturer, the maximum price for the second and all subsequent orders of a machine tool covered by this paragraph (d) shall be determined in accordance with subparagraph (2). However, all costs which were included in the initial manufacture and which will not be experienced in recurring production must be deducted from the price determined under (2) to the extent that they were reflected in the selling price on the first order, and the estimates of quantity of labor and material used must be based upon the manufacturer's production experience in the first order. This price must be approved by the Office of Price Administration. A manufacturer seeking such approval must file the proposed price with the Office of Price Administration, Washington, D. C., before he accepts the second order. If the Office of Price Administration does not object to the proposed price within fifteen days after the mailing of the required report, the proposed price shall be deemed to be approved. If the manufacturer does not file the required report, the Office of Price Administration may establish a maximum price of its own accord. This price will be in line with the level of maximum prices established by this regulation.

(4) *Manufacturer's maximum prices for attachments and parts.* The maximum manufacturers' price for any attachment or part that cannot be priced under paragraphs (a) to (c), inclusive, shall be determined in accordance with the provisions of (2) above. However, no reports of these prices are required.

(5) *Maximum prices for sales by persons other than manufacturers.* The maximum price for a sale by a person other than a manufacturer of any new machine tool, attachment or part that cannot be priced under paragraphs (a) to (c), inclusive shall be the manufacturer's maximum price to a user established by (1), (2), (3) or (4) above.

(e) *Notification of maximum price by the manufacturer.* The manufacturer shall furnish his dealer, agent or distributor with the maximum price established by this section if requested to do so by any such person. If a seller has no reason to doubt the validity of the notification received from the manufacturer, he may rely on that notification.

(f) *Retroactive effect of maximum prices established under (b) or (d).* Where the Office of Price Administration establishes a maximum price under paragraphs (b) or (d) above because the maximum price has not been computed as required by those paragraphs, such maximum price shall apply to all sales or deliveries, to which such price applies, made after June 27, 1944.

(g) The maximum prices established under paragraphs (a) to (d) inclusive, shall be increased by 20%.

[Paragraph (g) added by Am. 3, 11 F. R. 4402, effective 4-19-46]

SEC. 4a. Sales by certain "brand name" sellers. Any seller of a product under his own brand name, other than a manufacturer, who cannot establish his maximum prices under section 4, shall establish his

maximum prices of a product by adding to his net invoiced acquisition cost (not in excess of the applicable maximum price) the markup he had in effect on such product on March 31, 1946. Any seller who had no established markup on March 31, 1946, for a product shall report to the Office of Price Administration, Washington 25, D. C., his proposed markup on such product. This markup must be approved by the Office of Price Administration. If the OPA does not object to such proposed markup within 15 days after the mailing of the required report, the proposed markup shall be deemed approved. The Office of Price Administration may at any time change a markup so established.

[Sec. 4a added by Am. 5, effective 11-2-46]

SEC. 5. Maximum prices for rentals and leases—(a) Price. The maximum price for the lease or rental of any new machine tool shall be determined as follows:

(1) *Annual rental.* The maximum annual rental shall be determined by multiplying the maximum price established by this regulation, as of the date of the rental contract for the sale of the new machine tool, by the applicable percentage rate set forth below:

	8-hour day	16-hour day	24-hour day
General use	Percent 25	Percent 30	Percent 35
Outdoor use of tools designed for indoor use	35	45	55

(2) *Monthly, weekly and daily rental.* The maximum rental shall be determined by multiplying the maximum annual rental by the applicable factor set forth below:

Period of time:	Factor
Month	0.10
Week	.025
Day, or fractional part thereof	.005

However, where the machine tool is rented for a specific period of time which results in a maximum total rental of less than \$5.00, the maximum total rental for that period of time shall be \$5.00.

(b) *Rates most favorable to the lessee.* Notwithstanding the provisions of paragraph (a) of this section, the maximum price for any rental shall be computed on the basis of that period of time which will yield the lowest total rental. For example, if the machine tool is rented on a daily basis but the maximum rental figured on a weekly basis is lower than the maximum rental computed on any other basis, the maximum rental must be computed on a weekly basis.

(c) *Additional charges.* Charges for dismantling, loading, installation, transportation, maintenance and power supplied by the lessor may be in addition to the maximum rental, but must be invoiced separately. Such charges must not exceed any maximum price established therefor.

(d) *Rentals and leases after the first contract.* Maximum prices for the second and all subsequent rentals or leases of machine tools shall be determined in

accordance with Maximum Price Regulation 1.⁴ Where a rental or lease is continued by agreement, such continuance shall be deemed to be a subsequent rental or lease for the purpose of this paragraph.

SEC. 6. Federal and state taxes. Any tax upon, or incident to, the sale, rental, delivery or processing of machine tools, attachments or parts imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the maximum price or rental: If the statute or ordinance imposing such tax does not prohibit the seller or lessor from stating and collecting the tax separately from the purchase price, and the seller or lessor does separately state it, the seller or lessor may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller or lessor by the vendor from whom he purchased.

SEC. 7. Terms and conditions of sale—(a) Transportation charges. No seller or lessor shall require any purchaser or lessee, and no purchaser or lessee shall be permitted, to pay a larger proportion of transportation costs incurred in the delivery of any new machine tool, attachment or part than the seller or lessor required purchasers or lessees of the same class to pay on October 1, 1941, on deliveries of the same or similar types of machine tools, attachments or parts.

(b) *Credit charges.* The maximum prices and rentals established by this regulation shall not be increased by any charges for the extension of credit, unless (1) the seller or lessor on October 1, 1941, required payment of a separately stated additional charge for the extension of credit by purchasers or lessees of the same class on sales or leases of the same or similar types of machine tools, attachments or parts and (2) the amount charged for the extension of credit is not in excess of the charge the seller or lessor had in effect on October 1, 1941, for extension of credit involving the same amount and term.

(c) *Special packing charges.* If the buyer requests packing to his specifications and such specifications involve an increase in cost over the cost of the packing normally furnished by the seller, the difference between the factory costs of such packing, and the factory costs of standard packing may be added to the maximum price. This special packing charge must be billed or invoiced separately.

(d) *Erection, demonstrating, training of labor and servicing.* Charges for erecting, demonstrating, training of labor or servicing new machine tools shall be figured on the same basis as that used by the seller on October 1, 1941. Where such charges are made, they shall be invoiced separately.

(e) *Discounts to dealers.* The maximum prices established by this regulation shall not be exceeded by any seller of new machine tools, attachments or parts, but nothing in this regulation shall prevent changes in discounts or commis-

⁴ 10 F. R. 15164.

sions allowed by a manufacturer to a dealer or sales representative.

(f) *Supplementary Order 34 and Second Revised Maximum Export Price Regulation not applicable.* Supplementary Order 34 and the Second Revised Maximum Export Price Regulation are not applicable to sales of new machine tools, attachments or parts to procurement agencies. The term "procurement agency" means the United States, any country whose defense the President deems vital to the defense of the United States under the terms of the Lend-Lease Act, or any agency of the foregoing.

SEC. 8. *Transfers of business or stock in trade.* If the business, assets, or stock in trade are sold or otherwise transferred after October 1, 1941, and the transferee carries on the business, or continues to deal in the same type of commodities, in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 9. *Individual maximum prices.* The provisions of subparagraphs (4), (5), (6), (7), (8), (9), (10), (11), (12), (13), (14), (15), (16), (17) and (18) of section 1301.51 (a) of Revised Price Schedule 67 are incorporated by reference into this regulation as they were in effect on June 27, 1944. The maximum prices established by these subparagraphs remain in effect, notwithstanding any other provisions of this regulation. The subparagraphs named establish maximum prices for sales of certain new machine tools, attachments and parts by the following persons:

The Cincinnati Planer Company, Cincinnati, Ohio.

The Cleveland Automatic Machine Company, Cleveland, Ohio.

Defiance Machine Works, Inc., Defiance, Ohio.

Fox Grinders, Inc., Pittsburgh, Pa.

Gould & Eberhardt, Inc., Newark, N. J.

Hanna Engineering Works, Chicago, Ill.

L. J. Kaufman Manufacturing Company, Manitowoc, Wis.

The King Machine Tool Company, Cincinnati, Ohio.

Niagara Machine & Tool Works, Buffalo, N. Y.

Norton Company, Worcester, Mass.

Portage Machine Company, Akron, Ohio.

Smalley-General Company, Bay City, Mich.

Stokerunit Corporation, Milwaukee, Wis.

ARTICLE III—MISCELLANEOUS

SEC. 10. *Application for adjustment.* Any person seeking adjustment in his maximum prices for the sale of any product subject to this regulation may file an application for price adjustment in accordance with the provisions of Supplementary Order No. 142* (Adjustment Provisions for Sales of Industrial Machinery and Equipment).

[Sec. 10 amended by Am. 4, 11 F. R. 12387, effective 10-22-46]

SEC. 11. *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.

SEC. 12. *Adjustable pricing.* Agreements may be made to sell at a price which will be increased up to the maximum price in effect at the time of delivery. However, unless authorized by the Office of Price Administration, no deliveries may be made at a price which is to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. This authorization will be given only where: (a) a request for change in the applicable maximum price is pending; (b) authorization is necessary to promote distribution or production; and (c) it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended.

[Sec. 12 amended by Am. 4, 11 F. R. 12387, effective 10-22-46]

SEC. 13. *Records.* Every seller and lessor of new machine tools, attachments or parts shall keep for inspection by the Office of Price Administration, for so long as the Emergency Price Control Act of 1942, as amended, shall remain in effect, complete and accurate records of every sale and lease. Such records shall state: (a) the date of the sale or lease; (b) the name and address of the buyer or lessee; (c) the quantity, number and description of each type of new machine tool, attachment or part sold or leased; (d) the price on the date of sale, or if there was no price on that date, the price eventually collected; and (e) the net price received.

SEC. 14. *Reports.*—(a) *Manufacturers shall report.* On or before July 28, 1944, every manufacturer of new machine tools or attachments who has not already done so shall file a statement on OPA Form 167:2 with the Office of Price Administration, Washington, D. C., setting forth:

(1) The price in effect on October 1, 1941 for each type and size of new machine tool or attachment offered for sale by the manufacturer on that date, together with any special charges, discounts, allowances or concessions applicable thereto on October 1, 1941.

(2) The last price during the period January 1, 1941 to October 1, 1941, inclusive, at which he contracted to sell any new machine tool or attachment for which he had no price in effect on October 1, 1941.

(3) The names and addresses of all dealers to whom the manufacturer has sold new machine tools, attachments or parts since January 1, 1941. This report shall be made on OPA Form 167:3. A supplemental list of dealers is to be filed, if such information has been previously submitted.

(b) *Machine tool parts.* The manufacturer is not required to file prices of machine tool parts with the Office of Price Administration. However, maximum prices for machine tool parts must be determined under section 4 of this regulation.

* 11 F. R. 4390, 6762, 8114, 8223, 9351.

(c) *Financial reports by manufacturers.* On or before April 1 of each year, every manufacturer of new machine tools shall file with the Office of Price Administration, Washington, D. C., three copies of the information required by OPA Form A—Annual Financial Report—on a copy of that form. If the manufacturer's fiscal year does not coincide with the calendar year, this report shall be filed within ninety days of the close of the fiscal year, instead of on or before April 1.

(d) *Reports of leases.* Every person who leases or rents a new machine tool shall file a report with the Office of Price Administration, Washington, D. C., within ten days after delivery is made pursuant to the lease or rental agreement. This report shall set forth the following:

(1) The date of the lease or rental;

(2) A complete description of the machine tool, including make, type and size;

(3) The number of hours that the machine tool will be operated daily and whether it will be used for indoor or outdoor use;

(4) The approximate length of the rental contract;

(5) The maximum price established by this regulation for the sale of the machine tool being leased or rented;

(6) The name, address and nature of the business of the lessee; and

(7) The rental charged.

SEC. 15. *Licensing.* The provisions of Licensing Order No. 1,* licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price regulations or schedules. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 16. *Evasion.* The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with an offer, solicitation, agreement, sale, delivery, purchase, lease or rental of a new machine tool, attachment or part, alone or in conjunction with any other commodity or service or by way of commission, service, transportation, or other charge, or discount, premium or other privilege, or by tying agreement or other trade understanding, or otherwise. Specifically, but not exclusively, it shall be a violation of this regulation for any person to pay a fee, commission, or other compensation for the finding or locating of, or for the services of anyone acting as a broker or dealer concerning a new machine tool, attachment or part, if the total of any such charge and the selling or rental price charged that person exceed the maximum price or rental established by this regulation.

SEC. 17. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

* 8 F. R. 13240.

APPENDIX A—FORM FOR REPORTING MAXIMUM PRICES AND COSTS OF MACHINE TOOLS OF NEW DESIGN

OPA Form 694-671

Budget Bureau
No. 68-R932

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

Company name

Address—number and street

City and State

REPORT FOR A MACHINE TOOL OF NEW DESIGN

INSTRUCTIONS

This form is for reporting maximum prices and costs of production for machine tools of new design in your line. Prepare three copies of this form. On the first copy report estimated costs, based on October 1, 1941, prices, rates and methods, and your proposed maximum price for the first order. This is done by completing all items on this form, except columns B and C of item 3. The first copy must be filed within ten days after you receive your first order for the machine tool.

After you have completed production of your first order, report actual costs of production on an October 1, 1941, and on a current basis by filling in columns B and C of item 3 on the remaining two copies. In column B report costs based on October 1, 1941, prices, rates, and methods, and on the actual number of labor hours and actual quantity of materials used in the production of the first order. In column C report costs based on current prices, rates and methods, and on the actual number of labor hours and actual quantity of materials used in the production of the first order. File one of these completed copies with the Office of Price Administration within forty-five days after the completion of the production of the first order and keep the remaining copy for your files.

All reports must be filed with the Machine Tool Section, Office of Price Administration, Washington (25), D. C.

1. DESCRIPTION OF MACHINE TOOL

Make	Type	Size	Model No.

Details—Describe fully:

2. PRICE INFORMATION

Price of basic machine to user	Discount to dealer in percent	Number of units to which price applies

3. ESTIMATED AND ACTUAL COSTS OF PRODUCTION OF BASIC MACHINE

Description	Actual costs	
	A.—Estimated costs based on October 1, 1941, prices, rates and methods	B.—October 1, 1941 C.—Current costs
Direct labor		
Direct material		
Factory overhead		
Commissions		
Other selling expenses		
Administrative expense		
Total cost (per unit)		

4. BASIS ON WHICH COSTS AND PRICE WERE DETERMINED

- To how many units do the costs reported apply? No. of units
- Are your cost records tied in with your books of account? ☐ Yes ☐ No (Check one)
- Indicate the method used in allocating factory overhead: Standard ☐ Actual ☐ Direct labor hours ☐ Machine hours ☐ Other ☐ Explain separately if "other" or a combination of methods is used.
- Explain the method by which you determined the selling price. This must be the same method which you used on October 1, 1941.

I certify that the facts contained in this report are true and correct.

(Signature of reporting officer)

(Official title)

APPENDIX B—FORM FOR APPLICATIONS FOR ADJUSTMENT

Form OPA 694-672

Form Approved
Budget Bureau
No. 68-R933

UNITED STATES OF AMERICA
OFFICE OF PRICE ADMINISTRATION

WASHINGTON, D. C.

Application for Adjustment of Maximum Prices for Machine Tools, Attachments and Parts under Maximum Price Regulation 67.

Company name

Address

(Street)

(City)

(State)

The following facts are furnished to the Office of Price Administration in support of this application:

SCHEDULE A

- General description of the company's business.
- Explain on a separate sheet why you are making a request for a price increase.
- Designate and describe product(s) for which price increase is requested.
- Present the following information for each product listed in item 3 above.

(a)

Total number of units sold	1942	1943	Months ending
		1944
Corresponding dollar volume of sales (net)			

(b) Dollar volume of unfilled orders, \$.....; 12 months,
(c) Anticipated dollar volume of new orders for the next 3 months, \$.....; 6 months, \$.....

NOTE: If more than one product is being reported, present the required information on another sheet.

SCHEDULE B

Important. If you have submitted any of the following information on Office of Price Administration Financial Report Forms A and B for certain periods or have furnished same on a previous application for adjustment of a maximum price, you may omit these periods in your present report. In the case of a subsidiary wholly owned by a parent corporation, the financial data should be submitted for the parent corporation.

- Submit balance sheets and profit and loss statements for the past two years and for the most recent accounting period in the current year.
- NOTE: Each profit and loss statement must contain a detailed breakdown of cost of goods sold, administrative expense, selling expenses and officers' salaries, including the number of officers.
- Submit balance sheets and profit and loss statements on OPA Form A, Annual Financial Report, or your own prepared statements for the years 1938-1940. The filing of these data is optional, provided reports are available from the Bureau of Internal Revenue. Should the applicant prefer, this information will be requested by the Office of Price Administration directly from the Bureau of Internal Revenue.

SCHEDULE C—UNIT COST PRICE AND COST INFORMATION

Designation of product:

NOTE: If more than one product is involved, prepare and file separate reports on this schedule for each product that you consider necessary to convey an adequate understanding of the situation which gave rise to this application.

- Price data:

Net realized price: (Show maximum price for machine tool, attachment or part separately)

	Maximum price October 1, 1941	Requested maximum price
1. Manufacturer's price to user		
2. Less: dealer's resale discount or commission		
3. Net realized price to manufacturer		

APPENDIX B—Continued
SCHEDULE C—continued

2. Unit cost data:

	Ceiling date costs October 1, 1941	Current costs
(a) Direct material.....	\$.....	\$.....
(b) Direct labor.....
(c) Factory overhead.....
(d) Administrative expense.....
(e) Selling expense (do not include resale discounts or commissions to dealers).....
(f) Other expense, specify.....
(g).....
(h) Total cost per unit.....

- (i) Indicate the method used in allocating factory overhead:
Standard ☐; Actual ☐; Direct labor hours ☐; Machine hours ☐; Other ☐.
Explain separately if "other" or a combination of methods is used.
(j) Are your cost records tied in with your books of account? ☐ Yes; ☐ No.

(Applicant)

By

(Title)

I certify that the facts contained in this application are true and correct.

(Signature)

Effective date. This regulation shall become effective June 28, 1944. [MPR 67 originally issued June 23, 1944]

[Effective dates of amendments are shown in notes following the parts affected]

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Forms printed in the FEDERAL REGISTER are for information only and do not follow the exact format prescribed by the issuing agency.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of the Considerations Involved in the Issuance of Amendment No. 5 Under Maximum Price Regulation 67

This amendment provides a method by which certain sellers of brand name products may establish maximum prices. Maximum Price Regulation 67 contemplated sales by resellers from list prices of manufacturers. It is discovered, however, that some brand name sellers are unable to establish prices for the reason that their suppliers have never issued list prices nor, in some instances, have such suppliers established selling prices to users. Because of this fact, certain sellers of brand name machine tools, who do not manufacture the machine tools they sell, have been unable to properly price these commodities. This amendment permits the establishment of maximum prices for these products for this type of seller by permitting the addition of the March 31, 1946 markup to net invoiced acquisition cost. It also provides that in the case of those who had no March 31, 1946 markup established for a product, that the Office of Price Administration may approve a markup for such sellers.

The amendment also changes the definition of "machine tools" making it clear that under the regulation it is intended to cover those tools which normally are fastened in a fixed position.

[F. R. Doc. 46-19648; Filed, Oct. 28, 1946; 11:44 a. m.]

PART 1305—ADMINISTRATION

[SO 126, Amdt. 67]

EXEMPTION AND SUSPENSION OF CERTAIN ARTICLES OF CONSUMER GOODS FROM PRICE CONTROL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 126 is amended in the following respects:

1. Section 2 (g) is amended by adding the following articles of household furniture:

Bed trays.
Pier cabinets.
Upholstered headboard frames.
Whatnots.
Window seats.
Upholstered platform rockers.

2. Section 7 (a) is amended by adding the following article:

Breakfront secretaries.

This amendment shall become effective on the 28th day of October 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of Considerations Involved in the Issuance of Amendment 67 to Supplementary Order No. 126

The accompanying amendment to Supplementary Order No. 126 exempts bed trays, pier cabinets, upholstered headboard frames, whatnots, window seats, and upholstered platform rockers from price control, and suspends control on breakfront secretaries.

All of these articles, except upholstered platform rockers, have been determined by the Administrator to be of insignificant importance to business or living costs, although such a determination has not been made in regard to the broader commodity group, household furniture, of which they are a part. Their suspension from price control does not offer possibilities of an unstabilizing effect inasmuch as they do not compete di-

rectly with those household furniture articles left under control.

The Administrator has determined that upholstered platform rockers are currently in a position where supply is in approximate balance with demand including appropriate inventory requirements. Accordingly, these items are removed from price control.

[F. R. Doc. 46-19647; Filed, Oct. 28, 1946; 11:44 a. m.]

PART 1305—ADMINISTRATION

[SO 126, Amdt. 68]

EXEMPTION AND SUSPENSION OF CERTAIN ARTICLES OF CONSUMER GOODS FROM PRICE CONTROL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 126 is amended in the following respects:

1. Section 10 (q) is added to read as follows:

- (q) (1) Narrow cotton fabrics with metallic fasteners attached (excluding slide fasteners).
(2) Chenille numerals, alphabet letters and decorative insignia.
(3) Plastic laminated non-woven sheets of cotton or synthetic fibers, composed of layers of card or garnet web, and products cut therefrom.
(4) Furniture scarves, mats, doilies and chair sets.
(5) Grey cotton industrial insulation tubing.
(6) Woven or knitted fine glass filament fabrics and non-apparel fabric products (such as tablecloths) made therefrom.
(7) The following trimmings and passementeries:
Bullion fringes, lamp shade fringes, curtain edging fringes, rug fringes, awning fringes, ball edged fringes, drapery fringes, tassel edged fringes, bedspring fringes.
Furniture gimps.
Galloons.
Window shade trimmings.
Drapery trimmings.
Upholstery trimmings.
Curtain tie-backs, combining cords and tassels.
Picture cords and tassels.
Banner cords and tassels.
Shade pulls and tassels.
Decorative cords.
Moss edging.

This amendment shall become effective October 28, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of the Considerations Involved in the Issuance of Amendment No. 68 to Supplementary Order No. 126

The accompanying amendment suspends price control on a number of textile and related items which are insignificant in the cost of living and business costs.

Narrow cotton fabrics to which metallic fasteners are attached are known in the trade as hook and eye tape. This tape is used on women's under garments and on maternity and surgical garments.

The total sales of the industry in 1945 were \$2,000,000. The proportion of hook and eye tape costs in the total cost of an under garment is always less than one per cent. Production of these tapes now exceeds the pre-war level. Therefore, the fact that there is an adequate supply of this item and the cost is insignificant in terms of the product with which it is used, should insure that suspension will not result in any dangerous and cumulative inflationary price rise.

Chenille numerals and alphabet letters are made of chenille and are used on pennants and on sweaters given as athletic awards; they are also in the form of insignia for social groups such as boys' clubs. They have no significance in business costs or in the cost of living. It is unlikely that there will be any disproportionate increase in price, or any change in demand, after decontrol.

Plastic laminated non-woven sheets of cotton or synthetic fibers composed of layers of card or garnet web are not significant in the cost of living or in business costs because the product is comparatively new and few uses have been found for it. Accurate cost data for full volume production under such circumstances is impossible to forecast. The fact that this item must compete with well established products will prevent any dangerous and cumulative inflationary price rise.

Furniture scarves, mats, doilies and chair sets are used for decorative purposes in the home. They have nothing to do with business costs and are insignificant in the cost of living. The market for such items is limited by the number of pieces of furniture with which they are used. Therefore, it is unlikely that decontrol would result in any diversion of materials to increase the production of doilies and furniture scarves.

Grey industrial insulation tubing consists of grey cotton fabrics in tubular form. Varnished tubes and sleeveings made of braided or woven tubular cotton fabrics used in the manufacture of electrical equipment have already been decontrolled. Grey industrial insulation tubing has no effect on the cost of living, and in industrial uses its cost in comparison with the total cost of the machinery and equipment with which it is used is not significant.

The decontrol of woven or knitted fine glass filament fabrics and certain non-apparel products made therefrom is an extension of the decontrol of woven decorative fabrics made of glass for upholstery, drapery and slip cover use. Much of the production of fabrics out of fiber glass is in the experimental stage. This product is not significant in business or living costs, and competition with well established products for a market will prevent any dangerous and cumulative inflationary price rise.

Trimings and passementeries comprise a great variety of miscellaneous textile items such as fringes, gimps and tassels. They are produced by machines which combine the weaving or braiding operations with knitting, or are made manually. The items included in this amendment have a wide number of domestic and industrial uses, but in none of these are they a significant portion of

the total cost of the products with which they are used. It is unlikely that decontrol of these items will result in any diversion of materials or any cumulative and dangerously unstabilizing effect.

None of the products suspended by this action are considered to be commodities but are in fact items grouped within a commodity or class of commodities. No determination has been made at this time that the respective commodity groups to which these products belong are not important in the cost of living or business costs.

After due consideration of the foregoing, the Price Administrator finds that this action is consistent with the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-19668; Filed, Oct. 28, 1946; 11:49 a. m.]

PART 1305—ADMINISTRATION

[SO 126, Amdt. 69]

EXEMPTION AND SUSPENSION OF CERTAIN ARTICLES OF CONSUMER GOODS FROM PRICE CONTROL

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 126 is amended as follows:

1. Section 4 is amended by adding the following to the list of articles in that section:

Interlining fabric made with cotton warp yarns and fused cellulose filling yarns (sanforized).

This amendment shall become effective October 28, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of Considerations Involved in the Issuance of Amendment 69 to Supplementary Order No. 126

This amendment exempts from price control interlining fabric made with cotton warp yarns and fused cellulose filling yarns (sanforized). This action follows an order which was issued on October 15, 1946, pursuant to Supplementary Order 173 granting an application for the decontrol of a new commodity within the meaning of section 2 (u) of the Emergency Price Control Act of 1942, as amended, filed by the manufacturer.

The exemption from price control of the item covered by this amendment formalizes the granting of that manufacturer's application under Supplementary Order 173 and extends the decontrol of the item to all sellers. According to the information and data available to this office the fabric decontrolled by this action meets all of the tests for decontrol provided in Supplementary Order 173, thereby requiring this office to decontrol it by reason of the provisions of section 2 (u) of the act.

[F. R. Doc. 46-19652; Filed, Oct. 28, 1946; 11:46 a. m.]

PART 1305—ADMINISTRATION

[SO 132, Amdt. 71]

EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF CERTAIN FOODS, GRAINS AND CEREALS, FEEDS, TOBACCO AND TOBACCO PRODUCTS, AGRICULTURAL CHEMICALS, INSECTICIDES AND BEVERAGES

A statement of the considerations involved in the issuance of this Amendment 71 to Supplementary Order No. 132 has been issued and filed with the Division of the Federal Register.

Supplementary Order No. 132 is amended by adding to section 1 (a) (4) the following commodity in alphabetical order: "The edible by-products of livestock slaughter when sold for uses other than as food."

This amendment shall become effective October 28, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of the Considerations Involved in the Issuance of Amendment 71 to Supplementary Order No. 132

The accompanying amendment to Supplementary Order No. 132 decontrols the edible by-products of livestock slaughter when sold for uses other than as food.

The decontrol of livestock and food and feed products derived therefrom has made untenable the retention of price controls on the edible by-products of slaughter when sold for use in the production of medicines or other pharmaceuticals, paints, chemicals or similar manufactures and other non-food uses. The accompanying amendment consequently, decontrols such commodities when sold for the indicated uses.

[F. R. Doc. 46-19661; Filed, Oct. 28, 1946; 11:48 a. m.]

PART 1305—ADMINISTRATION

[SO 162, Amdt. 4]

ADJUSTMENT OF MAXIMUM PRICES FOR MANUFACTURERS AND MANUFACTURING-RETAILERS' SALES OF CERTAIN FOOTWEAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order 162 is amended in the following respects:

1. Section 3 (c) of Supplementary Order 162 is amended to read as follows:

(c) *Permissible further adjustment for specified increased leather costs.* (1) Where an item of footwear covered by this order contains a kind of leather listed in the table below, the adjusted maximum price determined for that item in accordance with the provisions of paragraph (a) or (b) of this section may be further increased by an amount equal to the applicable percentage, set forth in the table below, of the total cost reported under section 4 (b) (OPA Form No. 6064-2847) for the actual amount of such leather contained in the item.

Where the resulting adjusted maximum price contains a fraction of a cent which is one-half or more, the fraction may be increased to the next nearest cent.

TABLE OF PERCENTAGES

How to use this table:

(1) How to determine the applicable percentage. Find the column in the table below which represents the date on the report which you filed under section 4 (b) (OPA Form No. 6064-2847, which is the report set forth in paragraph (g) of Supplementary Order 162) for the item of footwear. (If you have not already filed such a report, then use the date on the report which you file under section 4 (b) hereafter). For instance, you use the percentage listed in Column I if your report for the item was dated before June 7, 1946. You use the percentage listed in Column II if your report for the item was dated between June 7, 1946 and August 8, 1946, inclusive. You use the percentage listed in Column III if your report was dated between August 9, 1946 and September 12, 1946, inclusive. You use the percentage listed in Column IV if your report is dated after September 12, 1946. If you do not have a record of the date on which you filed your

report, you may inquire of the District Office of the Office of Price Administration to which you sent your report and where it is now on file.

If you are selling the item as a manufacturer, you use the percentage listed under the heading "For manufacturers' sales" and if you are selling the item as a manufacturing-retailer, you use the percentages listed under the heading "For manufacturing-retailers' sales".

(2) How to compute the amount of increase. Once you have determined the date on your report under section 4 (b) for the item of footwear and thereby found the Column of the table which is applicable, you then find the total cost in that report for the kind of leather listed in the table below and multiply that cost by the percentage which is listed in the appropriate column for that kind of leather (see examples following the table). The resulting amount is the total amount of increase for that kind of leather which may be added to the adjusted maximum price determined under section 3 (a) or (b). (If the item of footwear contains more than one kind of leather for which an increase is permitted by this paragraph, then the amount of increase for each kind of leather may be added. See example 3.)

Table: Percentage factors based on date of seller's report filed under section 4 (b) (OPA Form No. 6064-2847)

Kind of leather	Column I Prior to June 7, 1946		Column II Between June 7 and Aug. 8, 1946, inclusive		Column III Between Aug. 9 and Sept. 12, 1946, inclusive		Column IV After Sept. 12, 1946	
	For manufacturers' sales	For manufacturing-retailers' sales	For manufacturers' sales	For manufacturing-retailers' sales	For manufacturers' sales	For manufacturing-retailers' sales	For manufacturers' sales	For manufacturing-retailers' sales
Kid and Goat ¹	Percent 38.5	Percent 40.0	Percent 33.0	Percent 34.5	Percent 26.0	Percent 27.5	Percent 26.0	Percent 27.5
Kangaroo and Wallaby	43.0	45.0	40.5	42.5	40.5	42.5	38.5	40.0
Jack Buck and other leather produced from imported South American deerskins	43.0	45.0	40.5	42.5	40.5	42.5	38.5	40.0
Cabretta where purchase invoice contains a registered OPA number	48.0	50.0	45.0	47.0	45.0	47.0	30.5	32.0

¹ Important note for items containing kid or goat leather. The percentages set forth in the table for kid and goat leather include the 8.6% increase authorized July 26, 1946, by Amendment 2 to Supplementary Order 162 and also the further increases authorized September 3, 1946, by Amendment 3 to Supplementary Order 162. Therefore, sellers who compute the amount of increase permitted by this table shall add the properly computed amount of increase to the adjusted maximum price determined under paragraph (a) or (b) of this section exclusive of the 8.6% and 24.4% adjustments for kid and goat leather previously authorized by paragraph (c) (1) and the 26.2% adjustment for kid and goat leather previously authorized under paragraph (c) (2) of this section.

Where a seller who had already filed a report under section 4 (b) (OPA Form No. 6064-2847) for an item containing kid or goat leather prior to July 26, 1946, and thereafter between July 26, 1946, and October 28, 1946, filed an additional report to show the "current cost" of the actual amount of kid or goat leather contained in the item and the amount of increase computed under section 3 (c), he shall use the date of the report filed between July 26, 1946, and October 28, 1946, to determine the proper column in the table and also shall use the total cost of the kid or goat leather as reported at that time. (See Example 1 below.)

Example 1. A manufacturer first reported on June 5, 1946, showing his adjusted maximum price as determined under Section 3 for Style No. 1001. In that report he stated his total cost for kid leather contained in the item as 70¢. On July 30, 1946, he filed a second report (or amended his first report) by reporting a new "current cost" for kid leather in the item as 81¢, and he also reported 8.6% of this amount (i. e. 7¢) to be his permitted price increase under Section 3 (c). On September 4, 1946, under Section 3 (c) (1) he computed a further increase (amounting to 20¢) for the kid leather in this item by taking 24.4% of 81¢ (his cost as reported on July 30, 1946), but he did not need to report this further adjustment. He does not receive any further increase under this table but if he wishes to check the correctness of his previous computations, or if because of some future increase he needs to determine the proper column in the table for this item, he should use the July 30, 1946, date and accordingly use the percentage listed in Column II for kid leather for Style No. 1001. Also in making this computation, he shall use the total cost of the

kid leather contained in the item as reported on July 30, 1946. Consequently, his amount of increase computed under the table is 27¢ (i. e. 81¢ multiplied by .33 = 26.7 or 27¢).

Example 2. On June 1, 1946, a manufacturer filed a report under Section 4 (b) for Style No. 1500 in which he stated that the adjusted maximum price determined under Section 3 was \$3.50 net to retailers. The total cost for the 2.1 square feet of wallaby leather contained in this item was reported to be 84¢. Since his report was dated June 1, 1946 (prior to June 7) he uses the percentage listed in Column I for wallaby leather. He computes the amount of increase by multiplying 84¢ (the cost of the wallaby leather contained in the shoes) as

¹ The percentages listed for kid and goat on sales by manufacturing-retailers are higher than those previously authorized for such sales because the 4½%, authorized under section 3.13 (d) for manufacturers' sales only, was erroneously deducted from the amount of increase permitted to manufacturing-retailers.

reported on June 1, 1946 by 43 (43%) resulting in 36¢. The adjusted maximum price of \$3.50 reported on June 1, 1946, may therefore be increased to \$3.86 net, to retailers.

Example 3. On August 3, 1946, a manufacturing-retailer filed a report for Style No. 302 in which he stated that the adjusted maximum price determined under Section 3 was \$5.43. The total cost which he reported at that time for 2 square feet of Jack buck leather contained in Style No. 302 was \$1.39 and for 1 square foot of kid lining was 32¢. Since his report was dated "between June 7, 1946, and August 8, 1946, inclusive" he uses the percentage listed for Jack buck for manufacturing-retailer's sales in Column II and also the percentage listed under that heading for kid in Column II. Consequently, he multiplies \$1.39 by .425 (42.5%) to determine his permitted increase for Jack buck leather contained in the item, resulting in 59.1¢. He also multiplies 32¢ by .345 (34.5%) to determine his permitted increase for kid leather contained in the item, resulting in 11¢. This manufacturing retailer's adjusted maximum retail price is \$5.43 plus 70¢ (59.1¢ + 11¢ = 70.1¢) or \$6.13.

(2) With respect to a line of footwear, the amount of increase permitted under subparagraph (1) of this paragraph shall be computed separately for each item containing a kind of leather listed in the table, and the maximum price under this order for such an item, shall be the adjusted maximum price determined for the line under paragraph (a) or (b) of this section plus the amount computed under subparagraph (1), above, for that item. However, where two or more items in a line of footwear contain the same kind of leather and such kind of leather is one of those enumerated in the table above, the seller may determine a single adjusted maximum price for all of the items within the line containing such leather. This maximum price shall be the weighted average adjusted maximum price for all such items in the line. The weighted average shall be based upon sales during any six successive months in the twelve months period immediately prior to the date of reporting the adjusted maximum price as required in section 4 (b).

Example: Suppose a manufacturer had a line of footwear Styles Nos. 100 to 110, inclusive, for which he established a net maximum price under Section 3.1 of SR 14E to the GMPR of \$6.00 net per pair, to retailers. This is a line of women's shoes, and on report dated August 10, 1946, under paragraph (b) of this section he determines an adjusted maximum price of \$6.54 per pair (\$6.00 + .33 + \$2.75 × .075 = \$6.54). Style Nos. 102, 106 and 109 contain 1.5 square feet, 1.7 square feet, and 1.8 square feet, of kid leather, respectively, at a reported cost of 65¢ per square foot. Under subparagraph (c) (1) of this section (Column III of the table) the adjusted maximum price for each of these styles is as follows:

For Style No. 102:
\$6.80 e. g. \$6.54 + \$.975 total cost of kid leather × .260 or 26¢ = \$6.80.

For Style No. 106:
\$6.83 e. g. \$6.54 + \$1.105 total cost of kid leather × .260 or 29¢ = \$6.83.

For Style No. 109:
\$6.85 e. g. \$6.54 + \$1.17 total cost of kid leather × .260 or 31¢ = \$6.85.

The manufacturer in the six months period from September 1, 1945 to February 28, 1946, sold Styles Nos. 102, 106 and 109 in the following amounts:

2300 pairs of Style 102.

1900 pairs of Style 106.

850 pairs of Style 109.

Consequently, if he elects to do so, the manufacturer may determine a single weighted average adjusted maximum price for Style Nos. 102, 106 and 109 as follows:

Style No. 102: $\$6.80 \times 2,300 = \$15,640$
 Style No. 106: $6.83 \times 1,900 = 12,977$
 Style No. 109: $6.85 \times 850 = 5,822$

5,050 \$34,439

\$34,439 divided by 5050 pairs = \$6.82 per pair. \$6.82 is the weighted average adjusted maximum price, under subparagraph (c) (2) at which he may sell Style Nos. 102, 106 and 109 in his line of footwear. The adjusted maximum price under Supplementary Order 162 for Style Nos. 101, 103, 104, 105, 108, and 110 remains \$6.54 per pair.

Where the seller determines a weighted average adjusted maximum price under this subparagraph he shall, before making a sale or delivery at such price report the following information to his District Office of the Office of Price Administration.

(i) State the name and address of the seller.

(ii) State the Style numbers in the line of footwear which contain the same kind of leather, which leather is one of those enumerated in the table, above.

(iii) State the six successive month period selected and the number of pairs of each style number listed in item (ii), above, sold during such period.

(iv) State the weighted average adjusted maximum price determined for the style numbers listed in item (ii), above, and show how determined.

Where a new style of footwear is added to a line of footwear and such new style contains the same kind of leather as those styles for which the seller has determined a weighted average adjusted maximum price, the seller must recompute the weighted average adjusted maximum price, using for the new style the projected sales for the next six months. In such a case, the seller must report such a change to his District Office of the Office of Price Administration, including the adjusted maximum price of the item and the projected sales for the new style.

2. The first sentence of section 4 (b) is amended to read as follows:

(b) *Reports.* Except for an adjusted maximum price previously determined under section 3 (c) and properly reported to the Office of Price Administration prior to October 28, 1946, no person may deliver an item of footwear at an adjusted maximum price established under this order until he has mailed the report required by this section.

This amendment shall become effective October 28, 1946.

NOTE: All record keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of Considerations Involved in the Issuance of Amendment 4 to SO 162

This amendment provides a method for increasing the maximum prices for

certain footwear to off-set increase in prices of kangaroo, wallaby, jack buck or other leathers made from South American deerskins and certain cabretta. The provisions incorporate the previously authorized increases granted by Amendments 2 and 3 for kid and goat leather. It likewise makes possible an across-the-board price for items containing one of these leathers in a line of footwear where all or only part of the items contain such leather.

For footwear containing cabretta leather, the increases authorized are confined to those shoes made from leather purchased where the invoice carries an OPA registration number, which numbers are assigned to tanners finishing certain types of raw stock.

Since the issuance of Supplementary Order 162 very substantial increases in the ceiling prices of the above leathers have been authorized by the OPA to enable the tanning industry to import the raw skins, which have risen precipitously in price in foreign markets, and to tan them for use in making shoes and other leather products. The amount of adjustment in Supplementary Order 162 as originally authorized was based upon a careful consideration of the incentive necessary to maintain present production and to bring back into production staple, desirable shoes of the same quality and style as made in the base period. Consequently, to require any absorption of the recent increases in the prices of these leathers (the raw material for which is entirely imported) would reduce the incentive to produce such shoes made of these leathers and seriously interfere with their production.

The adjustment procedure set forth by this action follows the same pattern as that already established by Amendments 2 and 3 to Supplementary Order 162, namely, that the manufacturer and manufacturing-retailer may adjust his maximum price by an amount equal to a specified percentage of the dollar value of these specific leathers in any particular item of footwear. Different percentages are to be used depending upon the date on which the seller reported under Section 4 (b) the adjustments taken under the previous provisions of the Order. In each case the percentages are calculated to reflect a complete pass-through of specific increases allowed in the prices of the various leathers but not the 6% increase in all leather authorized by Order 14 to Maximum Price Regulation 61, effective June 7, 1946. Moreover, the percentages to be used by manufacturers have been adjusted by a factor 1.045, which permits, without pyramiding, a retention of the convenient method previously provided in Supplementary Order 162 for handling wholesale and retail absorption of the 4½% industry-wide adjustment granted to manufacturers by Section 3.13 of Supplementary Regulation 14E.

Amendments 2 and 3 of Supplementary Order 162 provided the same amount of adjustment for manufacturers and manufacturing-retailers alike. This amount was reduced to compensate for the 4½% increase provided for in Section 3.13 of Supplementary Regulation 14E, which is not available to manufacturing-retailers under that provision.

The present amendment corrects that inequity by providing separate increase factors for manufacturing-retailers which have not been so reduced.

The purpose of this action is to provide a complete pass-through of the specific increases recently authorized for the specified leathers, but for administrative reasons and to lighten the reporting burden for manufacturers, they are directed to calculate these adjustments on the basis of the cost at the time of reporting under the provisions of Supplementary Order 162. Accordingly, various percentages are provided in the table which take account of two basic factors: (1) the date the manufacturer made his report under the provisions of Supplementary Order 162, and (2) the amount of specific increase in the price of any particular leather granted prior to the reporting date (exclusive of the 6% general increase granted for all leather by Order 14 to Maximum Price Regulation 61, effective June 7, 1946). In use, therefore, this table gives any manufacturer the same adjustment expressed in cents for each dollar's worth of leather in an item of footwear based on cost prior to June 7, 1946, provided he selects the proper percentage in reference to the date of reporting.

A line of footwear containing some items made of the leathers covered by this amendment and some items made of other kinds of leather cannot be conveniently priced across the board because of the lack of uniformity of the leather adjustments. This amendment, therefore, provides the same formula as was furnished in Amendment 3 for establishing an across-the-board price for that portion of a line of footwear which contains one of the specified leathers. The individual adjusted maximum prices are to be weighted according to sales made during any six months period of the preceding year and a weighted average price is determined, which with certain other information must be reported to the OPA before the new maximum price becomes effective. Provision is also made for adding a new item to such a line of footwear through the use of projected sales for the next six months. It is necessary to provide some such means of establishing an across-the-board price because otherwise a conventional practice of the industry would be unduly interfered with. Although the provisions herein do not solve the problem completely, they interfere with established practice as little as is consistent with the purposes of effective price control under conditions where the maximum prices of footwear made in part from certain leathers may fluctuate and other items in the line will not.

All provisions of this amendment and their effect upon business practices, cost practices or method, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of Supplementary Order 162 or of the Act. To the extent

that the provisions of this amendment compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of Supplementary Order 162 of the Emergency Price Control Act of 1942, as amended.

Insofar as practicable, the Administrator has consulted with representatives of the industry affected by this regulation and has given consideration to their recommendations. In the opinion of the Administrator the maximum prices established by this regulation are fair and equitable to the industry generally and will effectuate the purposes of the Emergency Price Control Act, as amended, and Executive Orders 9250, 9328, 9599, 9651, and 9697.

[F. R. Doc. 46-19645; Filed, Oct. 28, 1946; 11:43 a. m.]

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RMPR 119, Corr. to Amdt. 6]

ORIGINAL EQUIPMENT TIRES AND TUBES

Appendix A in Amendment 6 to Revised Maximum Price Regulation 119 is corrected in the following respects:

Under the heading of "9. Industrial & Wheelbarrow Straight side Pneumatic", the item

6.00-6 4 7.03

is corrected to read as follows:

6.00-6 4 7.63

This correction shall become effective October 28, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46-19654; Filed, Oct. 28, 1946; 11:46 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[2d Rev. RO 3, Amdt. 27]

SUGAR

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Section 24.1 (c) (27) (iii) of Third Revised Ration Order 3 is amended to read as follows:

(iii) Any grade or type of saccharine product derived from sugarcane or sugar beets, which is principally of non-crystalline structure and, regardless of the percentage amount of non-sugar solids, contains soluble non-sugar solids (exclusive of any foreign substance that may have been added or developed in the product) consisting of less than 20 percent sulphated ash, excluding, however, any saccharine product, irrespective of the ash content thereof, which, under

written authority granted to the producer of such product by the Department of Agriculture under the provisions of War Food Order No. 51, as amended, and upon compliance with the labeling and record-keeping requirements of the Department of Agriculture, contains soluble non-sugar solids equal to 6 percent or more of the total soluble solids and which results from reprocessing final beet molasses or blackstrap molasses or is obtained as a by-product of the production of sugar in accordance with the commercially recoverable sugar formula determined by the Secretary of Agriculture under the provisions of section 302 (a) of the Sugar Act of 1937, as amended, and which is classified by the Order Administrator of War Food Order No. 51, as amended, as edible molasses.

This amendment shall become effective as of October 1, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Rationale Accompanying Amendment No. 27 to Third Revised Ration Order 3

Pursuant to the delegation of authority as contained in War Food Order 64, as amended October 1, 1946, the definition of sugar, as set forth in Third Revised Ration Order 3, is amended to conform to such delegation.

[F. R. Doc. 46-19667; Filed, Oct. 28, 1946; 11:49 a. m.]

PART 1340—FUEL

[MPR 120, Amdt. 166]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 120 is hereby amended in the following respects:

1. Section 1340.210 (a) (16) and 1340.210 (a) (16) (1) are amended in the following respects:

The types of mines and amounts in cents per net ton set opposite District No. 1 are amended to read as follows:

District No.:	Cents per net ton
1 all	00

2. Section 1340.212 is amended to read as follows:

§ 1340.212 Appendix A: Maximum prices for bituminous coal produced in District No. 1. (a) The maximum prices set forth in paragraph (b) of this section are subject to the maximum price instructions provided in § 1340.210.

(b) The following maximum prices are established in cents per ton of 2,000 pounds. In the case of a rail or river shipment (which includes coal delivered by truck or wagon to a rail or river loading point) the maximum price is f. o. b. transportation facilities at the rail or river loading point. In the case of a

truck or wagon shipment (i. e. delivery made entirely by truck or wagon without intervening rail shipment) the maximum price is f. o. b. the mine or preparation plant.

(1) (i) Maximum prices in cents per net ton for coals produced at underground mines for shipment to all destinations by all methods of transportation (except by truck or wagon) and for all uses including railroad locomotive fuel.

Rail price classifications	Maximum prices by size group numbers				
	1	2	3	4	5
A.....	477	462	452	437	---
B.....	472	462	442	432	---
C.....	462	457	437	422	422
D.....	452	432	427	417	417
E.....	447	427	427	407	407
F.....	427	427	427	397	397
G.....	422	422	407	397	397
H.....	422	422	402	377	377
J.....	---	---	---	377	377
K.....	---	---	---	377	377

Exceptions					
Mines classified in sub-district 39.....	517	517	482	457	442
Mines classified in Tyson and Big Vein Seams, sub-districts 43 and 44.....	512	492	492	477	477

RAILROAD LOCOMOTIVE FUEL

Rail price classifications	Maximum prices by size group numbers				
	1	2	3	4	5
Subdistrict 39.....	517	517	482	457	442
Tyson or Big Vein Seams in sub-districts 43 and 44.....	512	492	492	477	477
All other underground mines.....	412	412	397	387	387

(ii) Maximum prices in cents per net ton for coals produced at strip mines for shipment to all destinations by all methods of transportation (except by truck or wagon) and for all uses including railroad locomotive fuel.

Price classifications	Maximum prices by size group numbers				
	1	2	3	4	5
A.....	385	370	360	345	---
B.....	380	370	350	340	---
C.....	370	365	345	330	330
D.....	360	340	335	325	325
E.....	355	335	335	315	315
F.....	335	335	335	305	305
G.....	330	330	315	305	305
H.....	330	330	310	285	285
J.....	---	---	---	285	285
K.....	---	---	---	285	285

Exceptions					
Mines classified in sub-district 39.....	425	425	390	365	350
Mines classified in Tyson or Big Vein seams in sub-districts 43 and 44.....	405	385	385	370	370

RAILROAD LOCOMOTIVE FUEL

Subdistrict 39.....	425	425	390	365	350
Tyson or Big Vein seams in sub-districts 43 and 44.....	405	385	385	370	370
All other strip mines.....	320	320	305	295	295

(2) (i) Maximum prices in cents per net ton for coals produced at underground mines for delivery entirely by truck or wagon to all destinations and for all uses.

Truck price classifications	Maximum prices by size group numbers				
	1	2	3	4	5
A.....	477	452	452	442	---
B.....	472	447	447	437	---
C.....	467	442	442	432	422
D.....	462	437	437	427	417
E.....	457	432	432	422	412
F.....	452	427	427	417	407
G.....	447	422	422	412	402
H.....	442	422	422	407	397
J.....	---	---	---	402	392
K.....	---	---	---	397	387
<i>Exceptions</i>					
Mines classified in subdistrict 39.....	517	517	482	457	442
Tyson or Big Vein seams in subdistricts 43 and 44.....	512	492	492	477	477
Bear Creek and Bloss seams in Tioga and Bradford Counties in subdistrict 3.....	534	509	509	499	489
All other seams in Tioga and Bradford Counties in subdistrict 3.....	509	484	484	474	464

(ii) Maximum prices in cents per net ton for coal produced at strip mines for delivery entirely by truck or wagon to all destinations for all uses.

Truck price classifications	Maximum prices by size group numbers				
	1	2	3	4	5
A.....	385	360	360	350	---
B.....	380	355	355	345	---
C.....	375	350	350	340	330
D.....	370	345	345	335	325
E.....	365	340	340	330	320
F.....	360	335	335	325	315
G.....	355	330	330	320	310
H.....	350	330	330	315	305
J.....	---	---	---	310	300
K.....	---	---	---	305	295
<i>Exceptions</i>					
Mines classified in subdistrict 39.....	425	425	390	365	350
Tyson or Big Vein seams, subdistricts 43 and 44.....	405	385	385	370	370
Bear Creek and Bloss seams in Tioga and Bradford Counties in subdistrict No. 3.....	442	417	417	407	397
All other seams in Tioga and Bradford Counties, subdistrict No. 3.....	417	392	392	382	372

(3) Maximum prices in cents per net ton for smelting coal in all size groups for shipment to all destinations by all methods of transportation.

	Underground mines	Strip mines
Mines classified in subdistrict 39.....	567	475
Tyson or Big Vein in subdistricts 43 and 44.....	567	460
All other mines.....	547	455

(4) Special price instructions. (i) Maximum prices in cents per net ton for coals in size group 3 produced by mines which have no direct physical connection with the Conemaugh and Black Lick Railroad and whose coal is trucked to the railroad's coaling station at Johnstown, Pennsylvania, or to said railroad's storage pile, or to a railroad car on the tracks of said railroad for movement by railroad car to the railroad's locomotive coaling station are as follows:

Underground mines.....	487
Strip mines.....	395

No. 211—3

(ii) The per net ton maximum prices in cents per ton for coals in size group 3, produced at mines in subdistrict 9, when purchased by Bellefonte Central Railroad Company for railroad fuel for all uses are as follows:

Underground mines.....	427
Strip mines.....	335

(iii) Specific descriptions of size group numbers as referred to in subparagraphs (1), (2), (3) and (4) of this paragraph (B).

Size group numbers and description

- 1—All lump coal. All doubled screened coal having a top size over 2".
- 2—All doubled screened coal with top size not exceeding 2".
- 3—Run of mine, modified run of mine and minus resultant with top size over 2".
- 4—All minus resultant with top size over 3/4" and not exceeding 2".
- 5—All minus resultant with top size not exceeding 3/4".

(c) Applications for adjustment of maximum prices for strip-mined coals. The Price Administrator may by order grant an increase in the maximum prices for strip-mined coals or for a mixture of deep and strip-mined coals produced in District No. 1 in the manner and to the extent set forth below.

(1) An order may be issued, increasing the strip-mine maximum prices by 50¢ per net ton, upon application being filed wherein it is shown to the satisfaction of the Price Administrator: First, that the strip-mined coals are such that they can be prepared so as to be generally acceptable in coal-consuming markets; second, that the coals are prepared in a preparation plant or tippie equipped with screens and picking tables and, in general, with adequate facilities for preparing coal by removing refuse before loading into transportation facilities; and third, that the strip-mined coal as loaded into transportation facilities is adequately prepared by use of such facilities.

(2) An order may be issued, authorizing the deep-mine maximum price to be charged for a mixture of deep and strip-mined coals, upon application being filed wherein it is shown to the satisfaction of the Price Administrator: First, that the strip-mined coals are such that they can be prepared so as to be generally acceptable in coal-consuming markets; second, that the coals are prepared in a preparation plant or tippie equipped with screens and picking tables and, in general, with adequate facilities for preparing coal by removing refuse before loading into transportation facilities; third, that the strip-mined coals as loaded into transportation facilities are adequately prepared by use of such facilities; and fourth, that the mixture of deep-mined and strip-mined coals contains not less than approximately 25% of deep-mined coals which have been blended with the strip-mined coals in preparation.

(3) Orders issued under this paragraph may be amended or revoked at any time. Failure to observe the above described preparation standards or maintain the proper mixture of deep and strip-mined coals shall constitute grounds for immediate revocation.

(d) A producer who was rendering the service of supplying a chemical or oil

treatment in the period October 1-15, 1941 and was making a charge for the service may continue to make the same charge as provided in § 1340.210 (a) (10). A producer, who was not rendering the service of supplying a chemical or oil treatment in the period October 1-15, 1941 and is now prepared to do so or a producer who was performing the service but was not charging for it, may charge an amount not in excess of 10 cents per net ton for such service where; first, the purchaser of the coal requires it; second, the producer is equipped with adequate facilities for the treatment of coal; third, the treatment is performed in an adequate and thorough manner; fourth, the charge for the service is separately stated on the producer's invoice or other memorandum of sale; and fifth, the producer has filed a report with the Solid Fuels Branch, Office of Price Administration, Washington 25, D. C., designating the service he expects to perform and describing the facilities and materials he will use in performing the services. In the event there appears to be an inadequate basis for making the charge, the Office of Price Administration may at any time deny permission to make the charge as to future transactions by notice to the producer in writing.

NOTE: All reporting and record-keeping requirements of this amendment have been approved, by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This amendment shall become effective November 2, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of Considerations Involved in the Issuance of Amendment No. 166 Under Maximum Price Regulation No. 120

The revision of the maximum price schedule for coal produced in District No. 1 has been necessitated by increases in the maximum prices of bituminous coal established by Amendment No. 158 to Maximum Price Regulation No. 120. The reasons for these increases have been set forth in the statement of considerations accompanying the said Amendment No. 158. By virtue of these increases, revised maximum price tables which contain specific maximum prices for strip and underground mines are now listed and brought up to date in the regulation; and the amounts of the recent price increase for coal as set forth in § 1340.210 (a) (16) of the regulation are therefore deleted.

Since it appears that a consolidation of the orders of adjustment issued under § 1340.207 (a) of Maximum Price Regulation No. 120 would facilitate administration and be more convenient to the bituminous coal industry, Order No. 1769 under Maximum Price Regulation No. 120 is issued and made effective simultaneously. The order consolidates all orders granting individual adjustments of the maximum prices for coal produced in District No. 1 and at the time revokes and reissues such adjustments.

In addition to the foregoing, size group descriptions are now set forth in the dis-

strict schedule for the convenience of the industry.

Realization from the sale of the coals involved is not affected by the action taken, which in the opinion of the Price Administrator will effectuate the purposes of the Price Control Extension Act of 1946.

[F. R. Doc. 46-19644; Filed, Oct. 28, 1946; 11:43 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 586, Amdt. 11 to Supp. Storage Reg. 1 (§ 1449.690)]

STORAGE OF SOYBEANS IN COUNTRY ELEVATORS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Section 19 is deleted in its entirety.

This amendment shall become effective October 28, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of the Considerations Involved in the Issuance of Amendment 11 to Supplementary Storage Regulation 1 Under Maximum Price Regulation 586

This amendment deletes section 19 which covered certain modifications of maximum price controls over storage of soy beans. All maximum price controls over storage and handling of soy beans are being removed, by amendment to MPR 586 issued concurrently herewith. With that decontrol action, the special provisions contained in section 19 are rendered obsolete and therefore are deleted from the regulation.

[F. R. Doc. 46-19662; Filed, Oct. 28, 1946; 11:48 a. m.]

PART 1340—FUEL

[MPR 189, Amdt. 37]

BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 189 is amended in the following respects:

1. Section 1340.313 (f) is amended to read as follows:

(f) Maximum prices for bituminous coal sold in New York Harbor for direct use as bunker fuel. (1) This subparagraph sets forth a table of maximum prices for ex-lighter or ex-barge deliveries of bunker fuel to cargo or passenger vessels (except excursion steamers bunkering through pockets at loading piers).

(i) Maximum prices in the table are in cents per gross ton and are f. a. s. (free alongside) the vessel to be bunkered.

The maximum prices per gross ton are:

Grade	A	B	C
Foreign vessels.....	841	831	821
Domestic vessels.....	851	841	831

(ii) If the coal is transported by steam lighter alongside the vessel to be bunkered, the supplier shall reduce the above prices by at least 38 cents if the coal is delivered from a lower pier, or by at least 33 cents if the coal is delivered from an upper pier. To such reduced price, the supplier shall add the steam lighterage charge to obtain the applicable f. a. s. maximum price, or the supplier may sell the coal at a maximum f. o. b. steam lighter price not in excess of such reduced price.

(iii) Permissible additions to f. a. s. prices.

(a) In general the supplier may add to the applicable f. a. s. price certain costs incurred before placing the coal alongside of the vessel. Such costs include detention of men and equipment, lighterage charges for hauling and towing less than the lighter's minimum quantity, charges for special non-flotilla towing incurred through no fault of the supplier, and lighterage charges for lightering outside the "free harbor limits."

(b) The supplier may also add to the applicable maximum f. a. s. prices all costs incurred in placing the coal aboard the vessel. Such costs include stevedoring, overtime, detention of men and equipment, running lines, bunkering in stream, etc., as well as workmen's compensation and social security taxes on the first three items.

(c) When a certain tonnage ordered is rejected by the vessel for reasons other than that the quality of coal delivered is not the same as ordered or for other fault of the supplier, the supplier may charge the vessel, in addition to the maximum price for the coals placed aboard the vessel, towing charges incurred for transporting the rejected coals to the vessel and back to the supplier's loading piers.

(d) The supplier may make no additions to the available maximum f. a. s. price for administrative or selling expenses, costs of coal or transportation, except as provided in this paragraph (f).

(2) This subparagraph sets forth maximum prices in cents per net ton for deliveries of bunker coal to tugboats, including ocean-going tugs, steam lighters, fireboats and other floating equipment, (except vessels indicated in subparagraph (1)) for consumption thereon. Such maximum prices are:

District Nos.	Grade		
	A	B	C
1 through 8.....	787	777	767

The charge for extra trimming shall not exceed the effective and applicable published carrier rate approved by the Interstate Commerce Commission.

If a supplier delivers tugboat bunker fuel from bins or pockets containing a mixture of grade A, B, and C coals, an application may be filed with the New York Regional Office for the establishment of a maximum price for such mixed coals to be effective during the ensuing three months or until a new price is established. This maximum price shall be the weighted average of the maximum prices of the coals entering the mixture and sold for tugboat bunker fuel during the previous three months. Upon the 10th of the fourth month following the filing of an original application, and every fourth month thereafter the supplier shall file with the New York Regional Office a list showing the origin of all coals entering his bins during the preceding three months, setting out the name of the producer, of the mine, the mine index number, size of the coal, the f. o. b. mine price, the freight rate paid on each car, the total tonnage of all coals sold for tugboat bunker fuel during the preceding three months, the total tonnages of unmixed coals of A, B, or C grade sold for tugboat bunker fuel during the preceding three months, and the total tonnage of coals mixed in the bins sold for tugboat bunker fuel during the preceding three months with a statement of the tonnage of each of the various grades entering the mixture.

(3) Maximum prices for t. i. b. deliveries at St. George Coal Piers.

The maximum prices in cents per gross ton for t. i. b. (trimmed in bunker) deliveries of bunker fuel made directly to cargo and passenger vessels, from the St. George Coal Piers, Staten Island, New York, are:

Grade	A	B	C
Foreign vessels.....	862	852	842
Domestic vessels.....	872	862	852

The maximum prices for tugboat bunker fuel deliveries from the St. George Coal Piers are those set out in subparagraph (2) of this paragraph (f).

In addition to such prices, the bunker supplier may add charges for: bunkering outside regular working hours at 30 cents per ton; detention of men at current longshoremen's wages; wheeling and carrying at 42 cents per gross ton plus incurred compensation insurance and social security taxes on the preceding items; extra trimming at 21 cents per gross ton; running lines at \$5.00 per vessel.

(4) Formula for addition of excess coal and transportation costs to base delivered cost. When the delivered cost f. o. b. cars of bunker coal exceeds \$7.62 per gross ton for Grade A coal, \$7.52 per gross ton for Grade B coal, and \$7.42 per gross ton for Grade C coal at a lower loading pier or \$7.67 per gross ton for Grade A coal, \$7.57 per gross ton for Grade B coal, or \$7.47 per gross ton for Grade C coal at an upper loading pier on sales to foreign vessels; or \$7.73 per gross ton for Grade A coal, \$7.63 per gross ton for Grade B coal, or \$7.53 per gross ton for Grade C coal at a lower loading pier or \$7.78 per gross ton for Grade A coal, \$7.68 per gross ton for

Grade B, or \$7.58 per gross ton for Grade C coal at an upper loading pier on sales to domestic vessels, or on sales made under subparagraphs (2) or (3) of this paragraph (f), the supplier may add the excess to the applicable maximum price on a weighted average basis. Delivered cost includes only the applicable maximum f. o. b. mine price per gross ton plus the rail rate to the loading pier; the pocket charge and trimming charge may not be included.

(5) Definitions of terms used in this paragraph (f).

(i) Terms used in this paragraph such as run of mine, price classification, producing district, etc., shall have the same meaning as those and other terms when used in the Minimum Price Schedules for the various producing districts (as in effect at midnight August 23, 1943); in the Bituminous Coal Act of 1937, as amended, and in Maximum Price Regulation No. 120-Bituminous Coal Delivered from Mine or Preparation Plant.

(ii) "Grade" refers to the price classification of the coal produced at mines in the various producing Districts as follows:

In District Nos. 1, 2, 3 and 6, the grade is based upon the price classification of the run of mine coal; but any size may be applied on such basis, as follows:

	District No. 1	District No. 2
Grade A.....	A, B, C, D.....	A, B, C, D, E, F.
Grade B.....	E, F.....	All others.
Grade C.....	G, H.....	

	District No. 3	District No. 6
Grade A.....	A.....	
Grade B.....	D, E, F, G.....	
Grade C.....	All others.	All coals.

In Districts Nos. 7 and 8, the grade is based upon the price classification of Size Group No. 20 high volatile coals; but any size may be applied on such basis, as follows:

Grade:	District Nos. 7 and 8
A.....	A, B, C.
B.....	D, E, F.
C.....	G or under.

All low volatile coal produced in District Nos. 7 and 8 are in Grade A.

(iii) "Free harbor limits" include those points within New York Harbor to which other than steam lighters lighter bunker coal at the standard rates without additional towing charge.

(iv) "Lower piers" are: South Amboy, Perth Amboy, Port Reading, Elizabethport and St. George.

(v) "Upper piers" are: Cornwall, Edgewater, Guttenberg, Hoboken, Har-
simus Cove, Port Liberty, Pier 18 and Greenville.

(vi) A "Foreign vessel" is one destined to a port outside the United States and Canada; all other vessels are "domestic." The supplier shall not charge more than the applicable maximum foreign price if the coal supplied is shipped from the mine at the freight rate and charges authorized by the Interstate Commerce Commission for export sales of bunker fuel.

(vii) "Non-flotilla" towing refers to movement of coal by tons outside the regular flotilla movement.

(6) Conversions. Conversions from gross ton to net ton, or vice versa, shall be made to the nearest cent, as shall computations of an excess made under paragraph (f) (1) (i) on a weighted average basis.

Conversions from any applicable maximum price, as f. o. b., f. a. s. or t. i. b., set forth herein, specifically or by formula, shall be made so that the applicable f. o. b., f. a. s. or t. i. b. maximum price shall not be evaded by increasing the cost of bunker coal to the purchaser, or by any other means, direct or indirect, such as charging a vessel or its owners for a tonnage or grade of bunker coal ordered but actually delivered only in part to such vessel.

(7) All invoices for bunker fuel sold in New York harbor shall list the f. o. b., f. a. s., or t. i. b., sales price of the delivered coal and itemize all additional charges made in accordance with this paragraph (f). Where a special price for a mixture of different grades of tugboat fuel has been authorized by the New York Regional Office, the invoice covering sales of a mixture of different grades of tugboat bunker fuel shall state that the coal is a mixture of specified grades.

(8) The provisions of §§ 1340.310 and 1340.313 (c) (1) (i) shall not apply to this paragraph (f) except as specifically provided in § 1340.310 (a) (5) of this regulation.

This amendment shall become effective November 2, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of Considerations Involved in the Issuance of Amendment No. 37 to Maximum Price Regulation No. 189

On several occasions it has been necessary to amend the schedule of maximum prices for bunker fuel sold in the New York Harbor. Thus, suppliers of this coal are required to consult the various amendments to determine their maximum prices. Therefore, for the convenience of the industry, the accompanying amendment revised the section of Regulation 189 pertaining to maximum prices for the New York Harbor.

In addition, certain price action is also taken. Suppliers of bunker fuel in the New York Harbor filed a petition for amendment to the regulation, requesting an increase in their maximum prices for ex-lighter or ex-barge deliveries, sufficient to cover increased towing and barging rates. The Administrator has considered the cost data submitted by petitioners and other data and information available to the Office of Price Administration. From these, it appears that petitioners have incurred generally increased costs amounting to approximately 9 cents per gross ton, varying according to the extent of service rendered, and are unable to bear this additional cost; and that an adjustment reflecting these estimated additional costs is necessary to promote adequate distribution of bunker fuel in the said harbor. The accompany-

ing amendment effects the necessary adjustments therefor, along with the simplification of the schedule for the same area; and necessary deletions and corrections are made to effectuate these purposes.

The amendment is issued after consultation with members of the industry. In the opinion of the Administrator, the action taken is necessary to promote the distribution of bunker fuel, and is in accordance with and effectuates the purposes of the Price Control Extension Act of 1946 and applicable Executive orders of the President.

[F. R. Doc. 46-19651; Filed, Oct. 28, 1946; 11:45 a. m.]

PART 1410—WOOL

[RPS 58, Amdt. 22]

WOOL AND WOOL TOPS AND YARNS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.

Revised Price Schedule 58 is amended in the following respects:

1. Section 1410.68 (d) (1) is amended by adding thereto, after the table of prices set forth for Bradford spun mohair weaving yarns on Ball Warps, the following:

(For each 1¢ that the cost of the cotton used in the composite 2/20½s cotton and mohair yarn is in excess of 48¢ per pound, ½¢ may be added to the above maximum price for the composite yarn.)

2. Section 1410.68 (d) (2) (i) (c) is amended by adding a new paragraph at the end thereof to read as follows:

However, a spinner who produces a Bradford mohair single knitting yarn, spun to a count from fibers which are of exceptional higher quality than the normal range which can be spun to such count, and for which he had a maximum price in effect before May 31, 1946, may sell such special quality yarn at the maximum price in effect therefor prior to May 31, 1946.

This amendment shall become effective November 2, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of the Considerations Involved in the Issuance of Amendment 22 to Revised Price Schedule 58

The accompanying amendment provides relief under certain specified conditions to spinners of Bradford single knitting mohair yarn and permits increases over the maximum price established for 2/20½s mixed cotton and mohair yarn to reflect increases in the cost of cotton yarn.

Amendment 19 to Revised Price Schedule 58 established maximum prices for the various counts of yarn on the basis of the quality of fiber that can ordinarily be used in the respective counts and contained no provision for adjustment when finer and more expensive qualities were

used. The present action permits a spinner who produced a particular count of single knitting yarn spun from an exceptionally higher quality of mohair top than can ordinarily be used for that count, for which high quality yarn he had a maximum price in effect prior to May 31, 1946, to continue to sell the same yarn at the maximum price in effect prior to May 31, 1946.

The maximum price established for 2/20½s cotton and mohair yarn by Amendment 19 was determined upon the basis of a cost of 48.25¢ per pound for the 14/1 cotton yarn which is the cotton ingredient in the composite cotton and mohair yarn. Since that time there have been substantial increases in the prices of 14/1 cotton yarn. The resulting unfavorable price situation of the composite cotton and mohair threatens the supply of this yarn. Since this particular yarn is important to the upholstery trade the present amendment is designed to bring the maximum price of this composite yarn in line with the maximum prices of other mohair yarn. This is done by providing that the maximum price may be increased by ½¢ per pound for every cent by which the cost of the cotton exceeds 48¢ per pound.

[F. R. Doc. 46-19855; Filed, Oct. 28, 1946; 11:46 a. m.]

PART 1444—ICE BOXES

[MPR 399, Corr. to Amdt. 35]

NEW ICE BOXES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.

Amendment No. 35 to Maximum Price Regulation No. 399 is corrected in the following respect:

Section 14, Table A, *Retail ceiling prices in each state for sales of ice boxes by ice companies and retail establishments controlled by ice companies* is corrected by changing the retail ceiling price in the state of Pennsylvania for the Model No. C-7 ice box manufactured by the Coolerator Company, from \$86.75 to \$87.75.

This correction shall become effective immediately.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of Considerations Involved in the Issuance of Correction to Amendment 35 to Maximum Price Regulation No. 399

It has come to the attention of the Office of Price Administration that there is an inadvertent error in the retail ceiling price in Pennsylvania set by Amendment 35 to Maximum Price Regulation No. 399 for sales of the Coolerator Model No. C-7 ice box by ice companies and retail establishments controlled by ice companies. The accompanying amendment makes the necessary correction to Amendment 35.

[F. R. Doc. 46-19653; Filed, Oct. 28, 1946; 11:46 a. m.]

PART 1499—COMMODITIES AND SERVICES

[MPR 586, Amdt. 5 (§ 1499.689)]

EXEMPTION OF SOYBEAN STORAGE

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

In section 3 (b) a new subparagraph (3) is added, to read as follows:

(3) Storage and handling of soybeans and services incidental thereto.

This amendment shall become effective October 28, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of the Considerations Involved in the Issuance of Amendment 5 to Maximum Price Regulation 586

This amendment decontrols storage and terminal services rendered with respect to soybeans. This action results from the contemporaneous release of soybeans from maximum price control. While in some fields release of the commodity from price control would not of itself call for decontrol of services rendered in connection with that commodity, in the soybean industry the storage services and the commodity sales are so closely related that, with decontrol of commodity prices, no good purpose would be served by maintaining control over the service. Most sales of soybeans to the processors are made by elevators in producing areas who, buying directly from producers, receive, handle, store, and ship the beans essentially as an incident to their further sales to processors. Storage and handling charges are paid by the processors who buy the beans from the elevator. With no control over the sales price of beans, any attempt to regulate the charge for storage and related services would be useless, since such "control" could be at once nullified by agreement between the elevator and processor freely adjusting the sales price of the beans.

[F. R. Doc. 46-19659; Filed, Oct. 28, 1946; 11:47 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14E, Amdt. 60]

MODIFICATION OF MAXIMUM PRICES ESTABLISHED BY GENERAL MAXIMUM PRICE REGULATION FOR CERTAIN TEXTILES, LEATHER AND APPAREL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Regulation 14E to the General Maximum Price Regulation is amended in the following respects:

1. Paragraph (a) of section 3.1 is amended by adding thereto the following new subparagraphs:

(5) On and after October 28, 1946, a manufacturer of footwear, other than a

seller at retail, who is unable to determine a maximum price for a "line of footwear" under the other provisions of this paragraph (a), and who has not previously established a maximum price under section 3.13 of this Supplementary Regulation 14E for any item in the line, may file an application under section 3.13 (d) of this Supplementary Regulation 14E for approval of a maximum price for each item in the line and in connection therewith request approval of a single maximum price for the line of footwear which includes such items. The single maximum price established for the line shall be a price in line with the level of maximum prices otherwise established for lines of footwear by this regulation, but, in general, the maximum price so established shall not exceed by more than 5% the lowest maximum price established for any item in the line.

No new style may be added to the line of footwear until the manufacturer has filed an application in accordance with the provisions of section 3.13 (d) of this Supplementary Regulation 14E and received approval of a maximum price for the item and for its inclusion in the line.

For the purpose of subparagraphs (5) and (6) of this paragraph (a) a "line of footwear" means (i) an integrated group of styles of footwear to be offered by the seller at the same price for each style in the group, (ii) giving the purchaser the option to choose without restriction any reasonable quantity of any style or styles, and (iii) each style being offered only as part of the line and not as an individual item.

(6) On and after October 28, 1946, a manufacturing-retailer of footwear who is unable to determine a maximum retail price for a "line of footwear" under the other provisions of this paragraph (a), and who has not previously established a maximum retail price under the provisions of the General Maximum Price Regulation for any item in the line, may file an application under section 3 (b) (2) of the General Maximum Price Regulation for approval of a maximum price for each item in the line and in connection therewith request approval of a single maximum retail price for the line of footwear which includes such items. The single maximum retail price established for the line shall be a price in line with the level of maximum prices otherwise established at retail for lines of footwear, but, in general, the maximum price so established shall not exceed by 5% the lowest maximum price established for any item in the line. No maximum price requested in accordance with the provisions of this subparagraph shall be deemed approved under section 3 (b) (2) of the General Maximum Price Regulation unless the seller has received written authorization of such maximum price.

A "line of footwear" is defined as stated in subparagraph (5), above.

No new style may be added to the line of footwear until the manufacturing-retailer has filed an application in accordance with the provisions of section 3 (b) (2) of the General Maximum Price Regulation and received approval of a

maximum price for the item and for its inclusion in the line.

2. Section 3.13 (a) is amended to read as follows:

(a) Except as modified by paragraph (b), below, if the seller had properly established a maximum price for the particular item of footwear prior to January 5, 1946, his maximum price shall be the price so established as adjusted under section 3.15 of this Supplementary Regulation 14E, or as adjusted under Supplementary Order 162, increased by the amount permitted by paragraph (e) of this section.

3. Section 3.13 (c) is amended to read as follows:

(c) If the seller had not established a maximum price for the particular item of footwear prior to January 5, 1946, but the item of footwear could be priced by the seller under the provisions of section 2 (a) of the General Maximum Price Regulation, his maximum price shall be the price thus determined under section 2 (a) as adjusted under section 3.15 of this Supplementary Regulation 14E, or as adjusted under Supplementary Order 162, increased by the amount permitted by paragraph (e) of this section.

4. A new section is added to Article III to read as follows:

SEC. 3.15. *Adjustment of maximum prices for manufacturers and manufacturing-retailers' sales of footwear containing certain kinds of leather.* On and after October 28, 1946, the maximum prices for manufacturers and manufacturing-retailers' sales of footwear specified in this section may be increased in accordance with the provisions of this section.

"Footwear" means any type of outside covering for the human foot but does not include hosiery, footwear made entirely from wood, footwear made entirely of textiles, or footwear containing no leather and which is designed to be worn over other shoes.

A "manufacturer's sale" is any sale by a manufacturer, except sales at retail.

A "manufacturing-retailer's sale" is any sale of footwear to the ultimate consumer by the manufacturer of such footwear.

"Current cost" as used in this section means the net invoice price, after trade and quantity discounts but before term discounts, actually paid by the manufacturer or manufacturing-retailer to his principal supplier (not to exceed his supplier's maximum price before term discounts, in effect on September 30, 1946) at the time he reports his adjusted maximum price to the Office of Price Administration pursuant to paragraph (c) of this section.

(a) (1) *For manufacturers' sales.* Except as provided in subparagraph (b) (1) of this section, a manufacturer of an item of footwear which contains a kind of leather listed in the table, below, may increase the maximum price as established under section 3.13 of this

Supplementary Regulation 14E, exclusive of any adjustment permitted under section 3.13 (e) of this Supplementary Regulation 14E or under the provisions of Supplementary Order 162, by an amount equal to the applicable percentage of the "current cost" for the actual amount of such leather contained in the item.¹

(2) *For manufacturing-retailers' sales.* Except as provided in paragraph (b) (2) of this section, a manufacturing-retailer of an item of footwear which contains a kind of leather listed in the table, below, may increase the maximum retail price properly established under the provisions of the General Maximum Price Regulation, exclusive of any adjustment permitted under the provisions of Supplementary Order 162, by an amount equal to the applicable percentage of the "current cost" for the actual amount of such leather contained in the item.¹

Where the resulting adjusted maximum price properly computed under this paragraph (a) contains a fraction of a cent which is one-half or more, the fraction may be increased to the next nearest cent.

Table. To find the applicable percentage in the table, below, you use the column headed "For manufacturers' sales" if you are a manufacturer making sales other than at retail, and if you sell the footwear, which you manufacture, to the ultimate consumer, you use the column headed "For manufacturing-retailers' sales". The applicable percentage is the percentage listed in the appropriate column of the table which corresponds to the kind of leather for which the adjustment is being taken.

PERCENTAGE FACTORS BASED ON "CURRENT COST" OF EACH KIND OF LEATHER

Kind of leather	Percentages	
	For manufacturers' sales	For manufacturing-retailers' sales
Kid and goat	26.0	27.5
Cabretta, where purchase invoice contains a registered OPA number	30.5	32.0
Kangaroo and Wallaby	28.5	30.0
Jack Buck and other leather produced from imported South American deerskins	28.5	30.0

Example 1. Assume that you are a manufacturer of a women's dress shoe, Style No. 100, and that prior to January 5, 1946, you established a maximum price for the item under § 1499.3 (b) (2) of the General Maximum Price Regulation of \$4.00 net, to retailers. This item contains 1½ square feet of kid leather at a current cost of 55¢ per square foot (or 69¢ total.) The percentage for kid leather listed in the table, above, under the heading "for manufacturers' sales" is 26%. Therefore, you multiply 69¢ by .26 (26%) resulting in a total of 18¢ which may be added to your maximum price. Consequently, the adjusted maximum price for retailers under this section for your women's dress shoes, Style No. 100, is \$4.18 net.

Example 2. Assume that you are a manufacturing-retailer of a men's dress shoe, Style No. 200, for which you established a

¹ If the item of footwear contains more than one kind of leather for which an increase is permitted by this section, then the amount of increase permitted for each kind of leather may be added.

maximum price of \$5.00 on March 1, 1946, under § 1499.2 (b) of the General Maximum Price Regulation. This item contains 2.2 square feet of kangaroo leather at a "current cost" of 61¢ per square foot (or \$1.34 total). The percentage for kangaroo leather set forth in the table, above, under the heading "for manufacturing-retailers' sales" is 30%. Therefore, you multiply \$1.34 by .30 (30%) resulting in a total of 40.2¢ which may be added to your maximum retail price. Consequently, the adjusted maximum price for your manufacturing-retailers' sales under this section for your men's dress shoe, Style No. 200, is \$5.40 net.

(b) (1) A manufacturer who, after June 6, 1946, established a maximum price under section 3.13 (d) of this Supplementary Regulation 14E for an item of footwear which contains a kind of leather listed in the table, above, may not adjust the maximum price for such an item under subparagraph (a) (1) of this section, but may request the office which issued the price authorization order to review such order and to adjust the maximum price so established to bring it into line with the new level of adjusted maximum prices established by this section for items of footwear containing the same kind of leather.² This request may be made by letter and shall contain all of the information required in paragraph (c), below.

(b) (2) A manufacturing-retailer who, after June 6, 1946, established a maximum retail price under § 1499.3 (b) (2) of the General Maximum Price Regulation, for an item of footwear which contains a kind of leather listed in the table, above, may not adjust the maximum price for such an item under subparagraph (a) (2) of this section, but may request the office which issued the price authorization order to review such order and to adjust the maximum retail price so established to bring it into line with the new level of adjusted maximum prices established by this section for items of footwear containing the same kind of leather.² This request may be made by letter and shall contain all of the information required in paragraph (c) below.

(c) *Reports.* No person may deliver an item of footwear at an adjusted maximum price established under this section until he has filed a report containing the information described below. However, a manufacturer and a manufacturing-retailer who, after June 6, 1946, and prior to October 28, 1946, established a maximum price for the item under section 3.13 (d) of this Supplementary Regulation 14E or § 1499.3 (b) (2) of the General Maximum Price Regulation, respectively, may not deliver the item at an adjusted maximum price reported under this section until he has filed a report required by this paragraph and the reported price has been approved by the Office of Price Administration. The reported price shall be deemed to be approved 20 days after mailing the report described below (or all additional information which may have been requested),

² A maximum price established by individual pricing order after October 28, 1946, for the kind of footwear covered by this section shall be presumed to be in line with the level of adjusted maximum prices otherwise established under this section.

¹ Including the modification of section 2 (a) contained in section 3.1 (a) of this Supplementary Regulation 14E.

unless, within that time, OPA notifies the seller that his reported price has been approved or disapproved.

The report shall be filed with the District Office of the Office of Price Administration for the district in which the seller's principal office is located. Each report shall be signed by an officer, owner or principal and shall contain all of the following information:

1. The name and address of the seller.
2. The style number of the item of footwear.
3. State the pricing provision under which the maximum price for the particular item was determined, and the docket number of the price authorization order, if any.
4. The kind and quantity of leather for which an increase is permitted under this section used in the particular item, including a complete description of such leather (for example, CLM Black Glazed Kid).
5. The regular cutting allowances for the pattern used.
6. The current price per square foot of such leather actually paid to his principal supplier (not to exceed the supplier's maximum price established therefor under the applicable regulation less available term discounts).
7. The name and address of the principal supplier of such kind of leather used in the particular item.
8. The unadjusted maximum price for the item to each class of purchaser.
9. The amount of adjustment computed under this section for the particular item of footwear.
10. If the maximum price of the item was established under section 3.13 (d) of Supplementary Regulation 14E to the General Maximum Price Regulation or under § 1499.3 (b) (2) of the General Maximum Price Regulation after June 6, 1946, state the adjusted maximum price for which approval is requested (not to exceed the unadjusted maximum price stated in 8, above, plus an amount equal to the applicable percentage listed in the table in paragraph (a), above, of the "current cost" for the actual amount of that kind of leather contained in the item).

This amendment shall become effective October 28, 1946.

Note: All record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Statement of the Considerations Involved in the Issuance of Amendment 60 to SR 14E

The accompanying amendment provides for increases in the maximum prices for non-base period type footwear to compensate for substantial increases in the cost of certain leathers (e. g. kid, goat and kangaroo, etc.) made from imported raw skins. The amendment also contains certain other minor provisions. Section 3.13 is amended to make clear that the maximum prices established thereunder, exclusive of the 4½ per cent adjustment, may be adjusted in accordance with the provisions of section 3.15 now added to Supplementary Regulation 14E by this action. Section 3.1 also is amended to permit the establishment of maximum prices for "lines of footwear"

which were not sold and delivered during the base period, March 1942.

Background for this action. Prior to the issuance of Supplementary Order 162 the pricing methods for footwear at the manufacturing level were divided into two broad classifications. One broad general classification froze the maximum prices for individual manufacturers at the highest prices charged by such individuals for the same or similar footwear sold and delivered by that individual during the base period, March 1942. The other broad classification established pricing methods for footwear which was not sold or delivered by the individual manufacturer during such period. In general, such a manufacturer determined a proper maximum price for his new items by a comparison with base period footwear. This procedure, theoretically at least, should have resulted in the establishment of prices for new footwear which were in line with or at the same level as those charged during the base period for similar types of footwear when sold by competitive sellers.

When Supplementary Order 162 was issued, it was pointed out that the experience of the Office clearly indicated that the methods of pricing non-base period footwear actually had resulted in more favorable prices for the non-base period items. As a consequence, many base period items had been dropped from production and new but less desirable footwear had been produced in their place. To correct that distortion in price and to encourage greater production of the staple and desirable types of footwear that predominated in the base period, Supplementary Order 162 authorized adjustments in the frozen March 1942 maximum prices calculated to restore the prices of such base period footwear to the same general level occupied by the non-base period footwear items.

After the issuance of Supplementary Order 162 to remove those price distortions in footwear prices, international allocations and price controls on leather raw materials suddenly ended. As a result, prices of raw hides and skins increased substantially in foreign markets. As the leather tanning industry is dependent on foreign markets for its entire supply of certain raw skins, such as kid, goat, kangaroo and hair sheep, it was necessary to remove purchase price ceilings on imported skins and to adjust the price of the leather made therefrom in order to enable tanners to produce those kinds of leather essential to footwear production. The price adjustments necessary on those leathers were so substantial, because of the rise in the prices of the raw skins in the foreign markets, that shoe manufacturers could not continue to produce footwear containing such leathers without price adjustments.

Action, therefore, was taken under amendment to SO 162 to adjust the maximum prices of base period footwear containing specified leathers made from imported raw materials. The amount of the adjustments under those amendments was limited to the leather cost increases actually experienced by the manufacturer in the production of each item of base period footwear.

No action, however, has been taken until this time to adjust the maximum prices of non-base period footwear, although manufacturers of such items experienced the same substantial leather cost increases as those manufacturers of base period footwear. A price level distortion had been created to the disadvantage of the non-base period footwear manufacturers. To remove such distortion the present action is taken.

Basis of price adjustment. This action is taken to eliminate the price level distortion discussed in the preceding section of this statement as well as for reasons of supply. If no action were taken to remove such distortion, unfavorable results would be produced for consumers as well as for footwear manufacturers. It would result in the curtailment of the production of non-base period footwear made of those leathers that had been increased so substantially in price and this might reduce the supply of footwear at a time of general shortage. It would give impetus to the use of substitute materials and the production of footwear of inferior quality. From the consumers' point of view the small adjustment in retail price involved in passing through those cost increases would be more than offset by the depreciation in quality that undoubtedly would result without such action.

The amendment provides a complete pass-through of those specific price increases recently authorized for certain leathers. For administrative reasons manufacturers are directed to calculate the adjustments on the basis of current cost. Accordingly, in calculating the percentage to be used each specific increase granted on the leather (for example, 45 percent on kangaroo leather) has been reduced by the ratio of the costs of this leather prior to June 7, 1946, and present costs. This procedure prevents the pass-through of the industry-wide leather increase granted on June 7, 1946. In the case of kangaroo leather, assume the price prior to June 7, 1946, was \$1.00 per square foot. On June 7, 1946, an across-the-board increase of 6 per cent was granted on all leather and on September 13, 1946, a 45 per cent increase on base period price was permitted on kangaroo, thereby making the present price 51 per cent higher than on June 6, 1946, or \$1.51. Then .45 times $\frac{1.00}{1.51}$ equals 29.8 per cent, the increase permitted to manufacturing-retailers on the current cost of the kangaroo leather used in a non base period item. (In the case of manufacturers the 29.8 per cent is further reduced by the 4½ per cent industry-wide increase on footwear later taken under section 3.13 of SR 14E.)

Sellers who compute an increase under this new section are required to report certain information to the Office of Price Administration before they may include the adjustment in their maximum prices.

Other provisions of the amendment. The new section which authorizes the aforementioned price increases includes manufacturing-retailers within its scope, as already indicated, and permits a proportionate increase in the retail price. As pointed out in the example and in the

preceding section of this statement, the amount of the increases granted to manufacturers has in each case, been adjusted by a factor 1.045 which permits, without pyramiding, retention of the convenient method used in SO 162 for handling wholesale and retail absorption of the 4½% industry-wide adjustment granted to manufacturers under section 3.13 of the SR 14E. Because this 4½% industry-wide adjustment is not available to manufacturing-retailers this class of seller is authorized to use percentages unadjusted by this factor 1.045.

No automatic adjustment for leather cost increases is authorized for manufacturers or manufacturing-retailers whose maximum price for the item of footwear was established under section 3.13 (d) of SR 14E or under section 3 (b) (2) of the GMPR, respectively, after June 6, 1946. Leather cost increases occurred after that date, and in many cases those increases were taken into account in the establishment of maximum prices authorized on an individual basis after that date. Consequently, for such items of footwear a seller whose maximum price does not include all of the leather cost increases occurring since such date (except for the 6% general leather increase) may make application to the District Office of the Office of Price Administration which issued such pricing order to request that the maximum price so established for the item be brought into line with the level of adjusted prices granted by this amendment and the amendments to SO 162.

The provisions of this amendment which relate to section 3.13 of SR 14E clarify the fact that the maximum price established under that section may be adjusted under the new section 3.15 to SR 14E before adding the industry-wide 4½% adjustment permitted by section 3.13 (e) of SR 14E. It is important for sellers to note that with respect to items of footwear covered by SO 162 an adjustment may be taken under either SO 162 or under section 3.15 of SR 14E, but not under both.

This amendment also amends section 3.1 of SR 14E to permit establishment of a maximum price for a "line of footwear" which was not sold and delivered during the base period.

[F. R. Doc. 46-19660; Filed, Oct. 23, 1946; 11:47 a. m.]

Chapter XXIII—War Assets Administration

[Reg. 5]

PART 8305—SURPLUS NONINDUSTRIAL REAL PROPERTY

War Assets Administration Regulation 5, June 29, 1946, entitled "Surplus Non-industrial Real Property", as corrected July 17, 1946 (11 F. R. 7611, 7969), is hereby revised and amended as herein set forth. New matter is indicated by underscoring. Orders 1 through 6 inclusive, and 8 through 15 inclusive, under this part (10 F. R. 12070, 12735, 12961, 14072, 14399, 15269; 11 F. R. 2380, 182, 609, 9277, 1357, 1527, 1528 and 8488 respectively) shall remain in full force and effect.

- Sec.
8305.2 Definitions.
8305.3 Scope.
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8305.7 Disposal of leasehold interests and improvements by owning agency.
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8305.9 Easements having no commercial value.
8305.10 Duties of owning and disposal agencies.
8305.11 Priorities.
8305.12 Disposal methods and principles.
8305.13 Records and reports.
8305.14 Regulations by agencies to be reported to the Administrator.
Exhibit A—Notice of sale.
Exhibit B—Government agencies to be given notice of impending disposal by mail.

AUTHORITY: §§ 8305.2 to 8305.14 inclusive, issued under the Surplus Property Act of 1944, as amended (58 Stat. 765, as amended; 50 U. S. C. App. Sup. 1611); Public Law 181, 79th Congress (59 Stat. 533; 50 U. S. C. App. Sup. 1614a, 1614b); and Executive Order 9689 (11 F. R. 1265).

§ 8305.2 *Definitions*—(a) *Terms defined in act.* Terms not defined in paragraph (b) of this section which are defined in the Surplus Property Act of 1944 shall in this part have the meaning given to them in the act.

(b) *Other terms.* (1) "Administrator" means the War Assets Administrator.

(2) "Continental United States" means the 48 States and the District of Columbia.

(3) "Former owner" means the person from whom the real property was acquired by the Government.

(4) "Nonprofit institution" means any nonprofit scientific, literary, educational, public-health, public-welfare, charitable, or eleemosynary institution, organization, or association, or any nonprofit hospital or similar institution organization, or association, which has been held exempt from taxation under section 101 (6) of the Internal Revenue Code or any nonprofit volunteer fire company or co-operative hospital or similar institution which has been held exempt from taxation under section 101 (8) of the Internal Revenue Code.

(5) "Educational institution" means any school, school system, library, college, university, or other similar institution, organization, or association, which is organized for the primary purpose of carrying on instruction or research in the public interest, and which is a nonprofit institution.

(6) "Public-health institution" means any hospital, board, agency, institution, organization, or association, which is organized for the primary purpose of carrying on medical, public-health, or sanitational services in the public interest, or research to extend the knowledge in these fields, and which is a nonprofit institution.

(7) "Offer" means a written offer to purchase surplus real property or a written application by a Government agency or a State or local government requesting that such property be held for disposal to it.

(8) "Owner-operator" means a person who will personally operate and cultivate agricultural land to earn a livelihood rather than lease it to a tenant.

(9) "Priority" means the right of a person, subject to stated conditions and limitations, to purchase surplus real property to the exclusion of other persons.

(10) "Real property" means any interest, owned by the United States or any Government agency, in land, together with any fixtures or improvements thereon, of any kind, wherever located, but does not include the public domain, or such lands withdrawn or reserved from the public domain as the Administrator determines are suitable for return to the public domain for disposition under the general land laws. It is not limited to the definition thereof as contained in section 23 of the act.

(11) "Section 23 real property" means property consisting of land, together with any fixtures and improvements thereon (including hotels, apartment houses, hospitals, office buildings, stores, and other commercial structures) located outside the District of Columbia, but does not include (i) commercial structures constructed by, at the direction of, or on behalf of any Government agency, (ii) commercial structures which the Administrator determines have been made an integral part of a functional or economic unit which should be disposed of as a whole, and (iii) war housing, industrial plants, factories, airports, airport facilities, or similar structures and facilities, or the sites thereof, or land which the Administrator determines essential to the use of any of the foregoing.

(12) "State or local government" means any State, Territory or possession of the United States, the District of Columbia, and any political subdivision or instrumentality thereof.

(13) "Veteran" means any person in the active military or naval service of the United States during the present war, or any person who served in the active military or naval service of the United States on or after September 16, 1940, and prior to the termination of the present war, and who has been discharged or released therefrom under honorable conditions. Veterans "released" from military or naval service shall include persons on terminal leave or final furlough and those whose status has been changed from "active" to "inactive."

NOTE: Subparagraph (16), formerly (14), redesignated October 12, 1946.

(14) "Own" business enterprise of a veteran means one of which more than fifty (50) per cent of the invested capital thereof is beneficially, and not merely nominally or formally, owned by a veteran or veterans, or one of which more than fifty (50) per cent of the net income thereof beneficially, and not merely nominally or formally, accrues to a veteran or veterans.

(15) "Small business" as used herein with respect to a veteran, means a vet-

eran's own small business and may include any commercial, agricultural or industrial enterprise or group of enterprises under common ownership or control, which does not at the date of purchase of surplus real property hereunder have more than five hundred (500) employees, or any such enterprise which, by reason of its relative size and position in its industry, is determined by the disposal agency to be a small business. The disposal agency may in its discretion apply either or both criteria in determining whether or not the applicant is a small business.

(16) "War housing" means real properties improved with housing structures, acquired or constructed by the Government subsequent to September 8, 1939, either (i) for the purpose of housing servicemen, war workers, and their families, or (ii) by the use of funds earmarked or appropriated for the housing of persons engaged in national defense activities, and their families.

§ 8305.3 *Scope.* This part applies to surplus real property located within the continental United States, its territories and possessions, and to any personal property appurtenant thereto or severed therefrom, or assigned for disposal in connection therewith; but does not include industrial, transportation, or marine industrial real property, or airport property. With the exceptions above stated, it applies to real property of all kinds and classes, owned in fee simple or held under lease; to other interests in real property of whatever nature; and to surplus equipment and supplies thereon or therein which the Administrator or the owning agency determines are essential to the contemplated operation and use of the property.

§ 8305.4 *Declarations—(a) Method of preparation and filing.* Declarations of surplus nonindustrial real property (whether or not section 23 real property) shall be filed with the Administrator as provided in Part 8301.¹ Where there are attached to, contained in, or located on any such real property surplus equipment and supplies, the owning agency shall freeze all such personal property in place not later than the date of the letter of intent referred to in § 8301.9 and shall hold the installation intact until notice is received from the War Assets Administration as to whether all or part of the personalty may be released from the freeze order. Unless otherwise directed by the Administrator, the owning agency shall declare the personalty as surplus in conjunction with the real property, in compliance with the provisions of Part 8301. The Administrator will transmit to the appropriate disposal agencies declarations filed pursuant to this section and will notify the owning agencies thereof.

(b) *Classification.* All surplus nonindustrial real property will be classified by the Administrator (including a determination as to whether the property is "section 23 real property") as agricultural, grazing, forest, mineral, or otherwise, based on the highest and best use of the property at the time it is reported as surplus property regardless of its former character or use. The classification may be revised from time to time.

§ 8305.5 *Communications after notice of transmittal.* After the owning agency receives notice of the transmittal to a disposal agency of a declaration of surplus real property, communications of the owning agency with respect to such property shall be addressed to the disposal agency except where communication with the Administrator is required hereunder.

§ 8305.6 *Withdrawals.* If the owning agency wishes to withdraw surplus real property, WAA Form 1005² (formerly Form SPA-5) shall be filed with the Administrator. If the property has been assigned to a disposal agency, a complete justification shall be submitted, and the Administrator may obtain the recommendation of the disposal agency as to the requested withdrawal. The owning agency and where appropriate, the disposal agency shall be notified of the Administrator's decision.

§ 8305.7 *Disposal of leasehold interests and improvements by owning agency—(a) Leaseholds.* (1) A Government agency owning a leasehold interest or similar right of occupancy which is no longer needed by such agency but which is needed by another Government agency shall, unless prohibited by the terms of the lease or other instrument under which the interest was acquired, transfer such interest directly to such other agency without declaring it surplus. Any such transfer shall be at the market value, unless transfers without reimbursement are authorized by law, and may be conditioned upon the transferee agency assuming all or any obligations incurred by the transferor agency in connection with the interest transferred. The owning agency shall take reasonable steps to ascertain the needs of Government agencies for such interests, and to this end may utilize the facilities of the Public Buildings Administration of the Federal Works Agency.

(2) If such leasehold or other interest is not claimed by any Government agency within a reasonable time and such leasehold or other interest does not include a purchase option in favor of the Government such lease or other interest may be cancelled by the owning agency without declaring it surplus if the owning agency has the legal right to cancel. If the Government has an option to purchase the property the leasehold or other interest, together with the improvements thereon, shall be declared surplus.

(b) *Improvements.* (1) Subject to the provisions of § 8305.7 (a) where an owning agency no longer needs improve-

ments located on Government-owned land which has not been declared surplus, or on non-Government-owned land leased or occupied by such agency with or without an obligation to restore the premises, such owning agency may dispose of such improvements by any one or more of the following methods:

(i) By transfer to the lessor or owner of the premises in full or partial satisfaction of any obligation to restore the premises, provided the lessor or owner shall pay for any excess value;

(ii) By disposition in accordance with contractual commitments;

(iii) By sale intact;

(iv) By demolition contract let only on competitive bid, whereby title to the improvements passes to the contractor in consideration of his demolition of the improvements or restoration of the premises.

(2) Such disposals shall be for a consideration that is fair and reasonable under all the circumstances. Unless otherwise authorized by the Administrator, an estimate shall be made prior to disposal of both the current market value of the improvements in place and their salvage value.

§ 8305.8 *Permit or order use.* When a Government agency utilizing Government-owned real property under some form of arrangement with another Government agency having primary jurisdiction over the property no longer needs the property, such real property and any interest therein shall be returned to the agency having primary jurisdiction over the property in accordance with the arrangement between such agencies, except where the property has been substantially improved while being so utilized. In this latter event the agency utilizing the property shall make a report of the facts to the Administrator for his determination as to how the interests of the Government will be best subserved.

§ 8305.9 *Easements having no commercial value.* Any Government agency may, with or without consideration, dispose of an easement to the owner of the land subject to the easement when such agency shall determine that the easement has no commercial value and is no longer needed: *Provided*, That, when any such easement shall have been acquired for a substantial consideration such disposal shall be made only for a reasonable value, taking into consideration any portion of the purchase price paid for severance damages.

§ 8305.10 *Duties of owning and disposal agencies—(a) General.* Upon receipt by a disposal agency of a declaration, it shall undertake immediately to dispose of the property covered by the declaration in accordance with the requirements of the act and of this part.

(b) *Care and handling.* Upon the filing of a declaration of surplus real property, as provided in § 8305.4 of this part, the War Assets Administration shall work out with the owning agency mutually satisfactory arrangements for the assumption by the Administration of the custody and control of, and accountability

¹ Reg. 1 (11 F. R. 7970, 10221).

² Reg. 1, Order 3 (11 F. R. 6774, 9572).

ity for, the property covered by such declaration. After assumption of custody and control of the property, the Administration shall be responsible for the care and handling of such property pending its disposition or pending its assignment, in whole or in part, to another disposal agency. Pending the assumption of custody and control of the property by the Administration, the owning agency may lease it or grant a permit to place it in productive use: *Provided*, That such lease or permit shall be revocable at the will of the Government agency having jurisdiction. The consideration for such a permit or lease shall be the current market rental value, unless otherwise authorized by the Administrator. If arrangements are not made by lease or use permit for the care and maintenance of the property pending assumption of custody by the disposal agency, the owning agency shall take necessary steps to insure its reasonable preservation and safety.

(c) *Improvements.* Disposal agencies shall make repairs necessary for the preservation and maintenance of the property, but no funds shall be expended by disposal agencies for improvement of real property declared to them as surplus or for the erection of structures thereon unless such expenditures are authorized by the Administrator.

(d) *Transfer of title papers, documents, etc.* Upon request of the disposal agency, the owning agency shall immediately supply the disposal agency with the originals or true copies of all information and documents pertaining to the surplus real property in the possession of the owning agency and copies of which have not been filed with the declaration. These shall include appraisal reports, abstracts of titles, tax receipts, deeds, affidavits of title, copies of judgment in condemnation proceedings and all other title papers relating to the property. All such papers and documents which may still be needed by the owning agency shall be returned to it as soon as the needs of the disposal agency have been satisfied. The disposal agency may transfer to the purchaser of surplus real property, as a part of the disposal transaction, any abstract of title which relates to the property being transferred and which is no longer needed either by the owning or the disposal agency. The terms upon which such transfer shall be made may be fixed by the disposal agency.

§ 8305.11 *Priorities*—(a) *Order of priority.* Except as provided in § 8305.12 (n) of this part, in disposing of surplus real property the following priorities shall be recognized:

(1) Government agencies shall be accorded first priority to acquire all classes of surplus real property for their own use. Reconstruction Finance Corporation, successor to Smaller War Plants Corporation, shall have a second priority to acquire any such surplus property for

resale, as provided in section 18 (e) of the Surplus Property Act of 1944. Such purchases shall be made by the Reconstruction Finance Corporation in its own name, and payment therefor shall be made by the corporation. Each purchase order by the corporation for resale purposes shall be based upon a written finding that the resale is required to preserve and strengthen the competitive position of small business, or will assist the corporation in the discharge of the duties and responsibilities imposed upon it as successor to Smaller War Plants Corporation.

(2) State or local governments shall be accorded third priority to acquire all classes of surplus real property in order to fulfill, in the public interest, their legitimate needs. Any State or local government which has lost a highway or street over surplus section 23 real property because of Government acquisition or action shall be accorded a special priority, prior to all other State or local governments, to permit it to re-establish such highway or street. This right shall extend to the original right-of-way and any new or additional rights-of-way needed to re-establish the street or highway on a new or more adequate location.

(3) A former owner shall be accorded fourth priority as to any surplus section 23 real property acquired from him by any Government agency after December 31, 1939. This priority shall relate to property which is substantially the identical tract acquired by the Government from the owner. If this tract is not available to the former owner or is not desired by him because it is no longer suitable for the purpose for which it was used when acquired by the Government, he may be offered substitute property. Such substitute property shall be in the same area, be classified as suitable for the use for which the original tract was used when acquired and otherwise be similar to the original tract. With respect to any substitute property thus made available to him the former owner shall be accorded a priority subordinate only to the priorities of Government agencies, State or local governments, a former owner or a tenant of a former owner of the substitute property. Acquisition of a substitute tract shall extinguish the priority of the former owner with respect to the original tract. Where only a portion of an original tract acquired from a former owner is declared surplus and the circumstances indicate that the remainder of such former owner's original tract will be declared surplus within a reasonable time, the disposal agency, without affecting the priorities of Government agencies or State and local governments, may grant the former owner a priority to the portion first declared surplus and extend the same to a date ninety (90) days from the date notice is forwarded to the former owner of the availability of the entire original or substantially identical tract acquired from him.

(4) A tenant of a former owner, who was in possession of agricultural section 23 real property at the time the same was

acquired by any Government agency after December 31, 1939, shall be accorded fifth priority with respect to substantially the same property occupied by him as tenant at the time of such acquisition.

(5) A veteran and the spouse and children (in that order) of a person who died while in the active military or naval service of the United States on or after September 16, 1940, shall be accorded a priority as to all surplus section 23 real property classified by the Administrator as suitable for agricultural, residential or small business purposes. This priority shall be subordinate to all the priorities described in subparagraphs (1) through (4) of this paragraph. The disposal agency shall satisfy itself, by reference to the veteran's discharge papers or other evidence, that the applicant is qualified to exercise this priority, and that the property applied for is for the applicant's own personal use for agricultural or residential purposes, or to enable the applicant to establish or maintain his own small business enterprise as defined in this part.

(6) Owner-operators shall be accorded a priority with respect to all surplus section 23 real property classified by the Administrator as suitable for agricultural use. This priority shall be subordinate to the priorities described in subparagraphs (1) through (5) of this paragraph.

(7) Nonprofit institutions shall be accorded a priority to acquire all classes of surplus real property in order to fulfill, in the public interest, their legitimate needs. This priority shall be subordinate to the priorities described in subparagraphs (1) through (6) of this paragraph.

(b) *Extent of priorities.* The priorities of Government agencies, State or local governments and nonprofit institutions are continuing priorities which are not exhausted because of their effective exercise with respect to a given piece of property. The priority of a veteran, the spouse and children of a deceased serviceman, or an owner-operator ceases to exist after it has once been effectively exercised with respect to one appropriate unit. The priority of a former owner or tenant is limited to the particular property as described in paragraph (a) (3) and (4) of this section.

(c) *Transfer of priorities and transmission on death.* No assignment or transfer of a priority shall be recognized, but the priority of a former owner may be exercised through an agent duly authorized in writing where the priority holder is so situated that he cannot exercise it in person. Upon the death of a veteran or former owner his spouse or children (in that order) shall succeed to his priority rights. The priority right of a tenant shall be extinguished by his death.

(d) *Time and method of exercise.* Government agencies, the Reconstruction Finance Corporation for resale to small business under section 18 (e) of

the act, and State or local governments shall have a period of ten (10) days in which to exercise their respective priorities after the date notice of availability is first published, where publication is required under the provisions of § 8305.12 (c) (2). Where a Government agency, including Reconstruction Finance Corporation for resale to small business, has requested a transfer of the property and publication is not required under the provisions of § 8305.12 (c) (2), such Government agency shall exercise its priority within ten (10) days from the date on which a notice of availability was mailed to it, as provided in § 8305.12 (c) (3). Nonprofit institutions shall have a period of ten (10) days after notice of availability is first published in which to exercise their priority with respect to other than section 23 real property. The time for the exercise of all other priorities shall be ninety (90) days after the date notice of availability is first published, or such additional period as the Administrator may allow when necessary or appropriate to facilitate a sale of the property to a former owner entitled to priority. *Provided, however,* That the property may be disposed of prior to the expiration of such periods pursuant to the provisions of § 8305.12 (e). Within the established priority period, the priority holder shall indicate an intention to exercise his priority by submitting to the disposal agency a written offer to acquire the property, in duplicate, stating the price that the applicant is willing to pay or, in the case of a Government agency, that a transfer without reimbursement or transfer of funds is authorized by law. Each offer shall be accompanied by such deposit as the disposal agency may require. The offer of a Government agency shall state that the property is being acquired for its own use and not for transfer or disposition, and shall set forth all pertinent facts pertaining to its need for the property. The offer of a State or local government or nonprofit institution shall show in detail the contemplated use of the property. Veterans, the spouse and children of deceased servicemen, and owner-operators may offer to purchase any or all units offered for sale. When an offer cannot be made because the disposal agency lacks necessary information on price, units or other matters, it shall be sufficient if the priority holder, within the applicable priority period, files a written statement of his desire to acquire the property or one or more appropriate units thereof. As soon as the necessary information becomes available (whether during or after the priority period), those who have filed such statements shall be so advised and given an opportunity to make an offer. The offer must be completed within a reasonable time as determined by the disposal agency. If a Government agency or State or local government shall require time to acquire funds, or if a Government agency shall require time to ac-

quire authority to take the property without reimbursement or transfer of funds, the claimant shall so state in its application and indicate the length of time needed for that purpose. Upon receipt of an application with such a statement the disposal agency shall forward a copy of the same to the Administrator. The Administrator will review the application and determine what time (if any) shall be allowed applicant to conclude the acquisition of the property and will advise the disposal agency and the applicant of such determination. During the time thus allowed the property may not be disposed of unless the priority period has expired and applicant's price (where it is seeking to acquire the property on a reimbursable basis) is less than the maximum price it may be charged and a higher price has been offered by another person.

(e) *Failure to offer full amount or to exercise in time.* All priorities not exercised during the priority period shall expire upon the termination of such period. In order to exercise his priority, a priority offeror shall bid the maximum price which he may be charged, which price shall be established in each case by the disposal agency. If his bid is less than his maximum price, such bid shall be treated as a nonpriority offer. The disposal agency may, in its discretion, permit priority holders to make offers after the priority period has ended, and such offers may be considered on the same basis as if they had been submitted during the priority period. Such action by the disposal agency, however, shall not be construed as extending the priority period and such offers may not be accepted to the prejudice of a timely and acceptable offer from another priority offeror. If no offer is received during the priority period from a priority holder at the maximum price which he may be charged, the disposal agency shall certify that the requirements of § 8305.12 (c) (2) and (3) of this part have been complied with and that no priority holder exercised his priority during the priority period. A certified copy of such certification shall be given to any purchaser of the property.

§ 8305.12 *Disposal methods and principles—(a) Descriptions, surveys and subdivisions.* The disposal agency shall obtain the full and correct legal description of the property to be disposed of and take the steps necessary to determine its exact location and area. Surveys shall be made, when necessary, and markers or monuments placed upon the ground. For disposal to others than Government agencies, State or local governments, former owners or tenants, surplus section 23 real property shall be subdivided by the disposal agency into appropriate units for disposal. Section 23 real property classified as suitable for agricultural use shall be subdivided by the disposal agency into economic family-size units wherever practicable. The size of such

units may vary according to the conditions and farming practices in the locality where the land is situated. Section 23 real property not classified as suitable for agricultural use shall be subdivided into such units as seem suitable in view of the character of the property, the use or uses to which it may be put and the possibilities of giving veterans and those who will use the property personally a fair opportunity to acquire and advantageously utilize the property. Plans for such subdividing shall be developed immediately after the disposal agency receives the declaration of surplus. The actual work of subdividing shall be carried forward as rapidly as practicable in view of all the circumstances, with effort made to complete the task at the earliest possible date after the expiration of the priority period. Subdivision may be delayed if it appears that the property will be absorbed by the priorities of Government agencies, State or local governments, former owners or tenants.

(b) *Evaluation and appraisal.* When property is to be transferred to a Government agency without reimbursement, it will not be necessary to establish the fair value or current market value of the property. When such transfer is to be made with reimbursement, an estimate shall be made of its fair value. In all other cases, an estimate shall be made of its current market value. The term "fair value" means the maximum price which a well-informed buyer, acting intelligently and voluntarily, would be warranted in paying if he were acquiring the property for long-term investment or for continued use with the intention of devoting it to the best or most productive type of use for which the property is suitable or capable of being adapted. The term "current market value" means the highest price the property will bring in terms of money if offered for sale in the open market with reasonable time to find a purchaser buying with knowledge of the uses and purposes to which it is adapted and for which it is capable of being used. To determine such values, the disposal agency shall have the property appraised by experienced and qualified appraisers familiar with the types of property to be appraised by them. They may be staff appraisers of the disposal agency, individuals employed on a loan reimbursable basis from other Federal agencies or independent appraisers in private business. All appraisal reports shall contain the appraiser's certificate that he has no interest, direct or indirect, in the property or sale or disposition thereof.

(c) *Notice and advertisement—(1) Wide publicity.* The disposal agency shall avail itself of all suitable means to give wide publicity to the availability for disposal of surplus real property.

(2) *Publication of notice.* Except where a transfer is requested by a Government agency, including the Reconstruction Finance Corporation for resale to small business, the disposal agency, upon receipt of a declaration of surplus real property, shall promptly and widely publicize the property, giving information adequate to inform interested persons of the general nature of the prop-

erty and its possible uses. Such publicity shall be by public advertising, and also may include press releases, display advertisements, and any other appropriate means which it is customary to use for advertising notices of sale. Public advertising shall consist of a sale notice containing substantially the matters set forth in Exhibit A of this part. With respect to other than section 23 real property, including structures to be disposed of separate from land, such notice shall be published one or more times during the ten (10) days following the date of the first publication. With respect to section 23 real property, exclusive of structures to be disposed of separate from land, such notice shall be published at least three (3) times during the ninety (90) days following the date such notice is first published, at approximate intervals of twenty-one (21) days, unless a Government agency or State or local government exercises its priority to acquire the property within the prescribed ten-day period of priority for such claimants.

(3) *Notice by mail.* Where a transfer is requested by one of the armed forces for national defense purposes prior to the conclusion of peace, its need being recognized as paramount, no notice to other Government agencies is required. In all other cases where a transfer is requested by a Government agency, including the Reconstruction Finance Corporation for resale to small business, the disposal agency shall send a notice of availability by mail to all Government agencies listed in Exhibit B of this part. At the time of the first publication of the notice required by subparagraph (2) of this paragraph, the disposal agency shall send a copy of such notice by mail to all Government agencies listed in Exhibit B hereof to the State and the political subdivisions in which the property is located, and to the former owner when he is entitled to priority. The notice to the former owner shall be sent by registered mail to his last known address with return receipt requested.

(4) *Additional notice.* If the disposal agency wishes to permit priority holders who have not exercised their priorities during the priority period to submit offers after such period has expired, such additional notice may be given to priority holders as the disposal agency shall deem proper.

(d) *Information available to purchasers.* Every effort shall be made to have available in the office of the officer having charge of the disposal, as soon as possible after notice of availability is first published, all necessary information concerning the property. This shall include the appraised value of the property, the unit sizes in which the property will be sold to various classes of purchasers, the priorities and the time and method of exercising them, the maximum prices which may be charged different priority buyers (see paragraph (h) of this section) and all other terms and conditions of sale. Any person shall be entitled, upon request, to receive such information or have access thereto at all reasonable times, as well as information

concerning offers, exercises of priorities and sales that have been made at the time of the inquiry.

(e) *Offers and procedure thereon.* During the prescribed priority periods, the disposal agency shall receive offers from priority and nonpriority buyers. No offers shall be accepted, however, until the expiration of the priority period, except in the following cases:

(1) Where an immediate transfer is requested by one of the armed forces for national defense purposes prior to the conclusion of peace, or

(2) Where a Government agency or State or local government exercises its priority to acquire surplus section 23 real property within the prescribed ten-day period.

(3) Where a former owner exercises his priority to acquire surplus section 23 real property and no offer has been submitted by a Government agency or State or local government, at its maximum price, within the prescribed ten-day period of priority for such claimants.

(f) *Disposal provisions—(1) Terms and conditions of disposal.* Disposals generally shall be of the entire interest of the Government and for cash; but shall be made upon such terms and conditions as the disposal agency may deem necessary to protect the interests of the Government and carry out the requirements of this part.

(2) *Granting of easements.* A disposal agency may grant easements in or over real property *Provided:* That the prior approval of the Administrator shall have been obtained where such easements affect the value of the property and, in such cases, the granting of the easements shall be for a consideration that is fair and reasonable, or without compensation when authorized by law.

(3) *Leases or occupancy permits.* The disposal agency may lease or grant a permit on surplus property to place it in productive use pending disposition, *Provided:* That such lease shall be revocable at the will of such disposal agency; and may also, with the approval of the Administrator, grant irrevocable leases where such action would be in the best interest of the Government and meet the objectives of the act.

(4) *Renewal of leases and purchase of outstanding interests.* The disposal agency may renew any lease in which the Government is lessee relating to surplus nonindustrial real property and shall assume and carry out any valid obligation which may have been entered into by the owning agency. The disposal agency as such shall not by exercise of any option or otherwise purchase nonindustrial real property for resale or lease without the prior written approval of the Administrator.

(5) *Fissionable materials.* (i) (a) In all disposals of lands hereafter made under the authority and provisions of the Surplus Property Act of 1944; (b) In all leases, permits, or other authorizations of whatever kind, hereafter granted to remove minerals from such lands; and (c) In all leases, permits or other authorizations which otherwise would preclude the United States from exercising its

right to enter upon such lands and prospect for, mine, and remove minerals, there shall be reserved to the United States all fissionable materials in the lands, together with the right, at any and all times, to enter upon the lands and prospect for, mine, and remove such materials; *Provided,* That no such reservation shall interfere with the primary use of the land established or indicated by any act of Congress; *And provided further,* That no such reservation shall be required whenever the Secretary of the Interior shall determine that the land affected does not contain substantial deposits of fissionable materials, or that, in view of all the circumstances, there is no reasonable probability that such materials are present in quantities sufficient to justify their extraction.

(ii) The term "fissionable materials" as used herein means (a) all deposits from which the substances known as thorium, uranium (including uranium enriched as to one of its isotopes), and elements higher than uranium in the periodic table, can be refined or produced, and (b) all deposits from which there can be refined or produced other substances determined by the President by Executive Order to be readily capable of or peculiarly related to transmutation of atomic species, the production of nuclear fission, or the release of atomic energy. (Executive Order 9701, dated March 4, 1946, 11 F.R. 2369)

(iii) Unless the lands are within the exceptions above provided, all notices of sale or availability given or published by the disposal agencies shall disclose that the lands involved will be disposed of or sold subject to the reservation of the mineral rights referred to in the foregoing subdivisions of this subparagraph.

(6) *Water rights.* (i) Water rights in connection with real property subject to irrigation shall ordinarily be disposed of with the real property to which they relate, whether such rights are evidenced by stock certificates in irrigation projects or otherwise, and shall be disposed of subject to the provisions of this part.

(ii) In order to meet the objectives of the act to discourage disposals for speculative purposes, it shall be the policy of the Administrator to dispose of such rights to the owners of the real property who may be entitled to the benefits thereof, rather than to persons who are not owners, and in quantities proportionate to the amount of property owned by such persons.

(iii) Former owners shall be entitled to a priority for any such rights acquired from them in connection with real property which they sold to the Government where such former owners are entitled to and claim priority as to such property.

(iv) Except as to former owners who are governed by the provisions of § 8305.12 (h) (2) as to price, the price to be charged for such water rights shall be the fair value thereof.

(g) *Form of transfer.* Deeds or instruments of transfer (other than leases) shall be in the form approved by the Attorney General. Transfers shall be by quitclaim deed unless the disposal agency finds that a warranty deed is necessary to obtain a reasonable price

for the property or to render the title marketable and the use of such a deed is recommended and approved by the Attorney General as provided in the act.

(h) *Prices; donations*—(1) *General requirements.* The purchasers mentioned in subparagraphs (2), (3), (4) and (5) of this paragraph shall in no event be charged more than the prices at which they are entitled to purchase under the provisions of such subparagraphs. On sales or disposals to all others it shall be the duty of the disposal agency to obtain the highest competitive price actually obtainable. No sale or disposal shall be made at a price which is more than twenty-five (25) per centum below the current market value until such sale or disposal has been reviewed and approved by the Administrator, unless that price is the maximum price which may be charged the purchaser.

(2) *Former owner and tenant.* Persons purchasing surplus real property pursuant to the priority of a former owner or tenant of a former owner shall be entitled to purchase at the lower of (i) the current market value or (ii) the price for which the property was acquired by the Government adjusted to reflect any increase or decrease in the value of such property resulting from action by the United States.

(3) *Government agencies, State or local governments, nonprofit institutions and owner-operators.* Government agencies shall be entitled to acquire surplus real property at a price equal to the fair value. State or local governments, nonprofit institutions, and owner-operators shall be entitled to acquire surplus real property at a price equal to the current market value. State or local governments purchasing rights-of-way for highways and streets, pursuant to the priority provided for in § 8305.11 (a) (2) shall be entitled to purchase the same at a rate of compensation not exceeding that paid for it by the Government. Government agencies shall be entitled to acquire property without charge where a transfer without reimbursement or transfer of funds is authorized by law. The disposal agency shall make such transfers of real property to Government agencies without reimbursement or transfer of funds whenever a transfer on such terms by the owning agency by which such property was declared surplus would be authorized by law to be made to the agency desiring such property.

(4) *Veterans.* Veterans and the spouse and children of deceased servicemen shall be entitled to purchase surplus real property at a price fixed by the disposal agency after taking into consideration the current market value, the character of the property, and, if income-producing, the estimated earning capacity thereof.

(5) *Disposals for educational or health purposes.* State or local governments or educational or public-health institutions seeking to acquire surplus real property for educational use or to promote and protect the public health may, with the approval of the Administrator, acquire such property at the current market value less any discount allowed because of the benefit which has

accrued or may accrue to the United States by such use; *Provided*, That no such discounts may be allowed to any nonprofit institutions which are not exempt from taxation under section 101 (6) of the Internal Revenue Code. Applications for such discounts shall be filed with the Administrator and shall indicate with reasonable completeness the nature of the contemplated use of the property, the basis for claiming preferential treatment, a full description of the applicant, and the ways in which and the extent to which the United States will be benefited by the proposed use. Each such application shall be accompanied by a certificate by an authorized official of the buyer that the buyer is a State or local government or that it is a nonprofit institution as defined in § 8305.2 (b) (4) and that the property is being acquired for educational or health purposes. The application also shall be accompanied by a statement from the disposal agency setting forth such information as the disposal agency is able to secure with respect to the applicant and the contemplated use by such applicant, and the disposal agency's estimate of the current market value of the property. After considering the application and any additional evidence deemed appropriate, including additional information required from the disposal agency or the applicant, the Administrator shall notify the disposal agency of his decision on the application, certifying the amount of the discount granted and directing the terms and conditions of the disposal, including provisions for the reversion of the property to the United States if the buyer ceases to use it for educational or health purposes.

(6) *Donations.* Surplus real property may be donated only to government agencies, State or local governments or nonprofit institutions organized and operated for educational or charitable purposes and only when the disposal agency finds that the property either (i) has no commercial value or (ii) that the cost of its care and handling and disposition would exceed the estimated proceeds. Before making any donation, however, the disposal agency shall in all cases obtain the prior approval of the Administrator. To obtain such approval the disposal agency shall submit to the Administrator a copy of its findings, together with any supporting evidence and a full description of any donation that may be proposed.

(i) *Acceptance of offers.* Subject to the provisions of § 8305.12 (e) hereof, the disposal agency, upon the expiration of the priority period designated in § 8305.11 (d) hereof, shall proceed with the acceptance of offers, except to the extent that delay is necessary to obtain an offer from a priority holder who filed a statement of his desire to purchase during the priority period, as provided in § 8305.11 (d). The disposal agency shall allow a reasonable period of time within which the successful bidder shall consummate the transaction and shall notify the successful bidder of the period allowed. In the event the transaction is

not completed within such period or any extension thereof allowed by the disposal agency, complete details shall be furnished to the Administrator for direction as to further action. Offers from priority holders at their respective maximum prices shall be accepted in the order of their priority. If there are several acceptable offers at the same price from offerors in the same priority group, the offer to be accepted from that group shall be selected as provided in paragraph (k) of this section. If offers have been received from persons having no priority and there is no acceptable offer from a person holding a priority, only the highest of such offers may be accepted by the disposal agency, unless otherwise authorized by the Administrator. Disposal agencies may reject any offer which is for a price below the current market value other than an offer from a priority holder for the maximum price which can be charged the offeror. When a veteran, the spouse and children of a deceased serviceman, or an owner-operator shall have made offers for more than one unit, only one of the offers of such offeror shall be accepted.

(j) *Proof of priority status.* Before a disposal agency shall dispose of surplus real property on the basis of the priority claimed by the offeror, it shall require satisfactory proof of the priority status, identity or authority of the person making the offer.

(k) *Equal offers.* If equal acceptable offers are received for the same property from two or more offerors of the same priority group or if equal offers are received from two or more non-priority offerors, selection shall be made as follows:

(1) In the case of Government agencies, State or local governments or nonprofit institutions the selection shall be determined on the basis of need. If the matter cannot be determined by agreement between the claimants, the disposal agency shall report the matter in writing to the Administrator, setting forth the names of the competing claimants, a summary of their respective claims, a description of the property involved, and the recommendations, if any, of the disposal agency, together with any statements in writing which the claimants or any of them may wish to file with the Administrator. The Administrator shall review the matter and report his determination to the disposal agency. The Administrator's determination shall be final for all purposes.

(2) With respect to veterans, the selection shall be by lot. With respect to all other priority groups, the selection shall be by lot, unless otherwise authorized by the Administrator. If a veteran, the spouse and children of a deceased serviceman or an owner-operator is selected for more than one unit, he shall elect in writing which one he shall take and thereupon the right to purchase the remaining unit or units of property shall

go to the remaining applicants in the particular priority group in the order in which the names are drawn.

(3) In the case of non-priority offerors, the selection shall be made by lot, unless otherwise authorized by the Administrator.

(l) *Notice to unsuccessful bidders; nonperformance by successful bidder.* When an offer for surplus real property has been accepted, the disposal agency shall notify the unsuccessful bidders of such acceptance and return their deposits to them. If performance of the contract of the successful bidder is not completed, or if a Government agency or State or local government fails to complete its acquisition of the property after having it held for the time allowed by the Administrator, the disposal agency shall promptly notify by mail all those who made unsuccessful offers during the priority period or any time allowed thereafter that if they renew their offers within fifteen (15) days from the date of mailing of the notice they will be reconsidered on the same basis on which they would have been considered had the offer accepted not been received in the first instance.

(m) *Absence of acceptable offers; methods of sale.* If no acceptable offer is received during the priority period or none results from a statement filed during the priority period, or if no acceptable offer is renewed after the giving of notice under the circumstances provided for in paragraph (l) of this section, the disposal agency shall proceed to dispose of the property by negotiated sale, auction or other suitable method. Such disposals shall be subject to the price restrictions of paragraph (h) (1) of this section, unless otherwise authorized by the Administrator.

(n) *Disposal of leasehold interests and improvements by disposal agency—(1) Improvements; leaseholds.* Where real property held only under lease or other similar right of occupancy, with or without improvements thereon, is assigned to a disposal agency for disposition, such disposal agency, subject to the provisions of § 8305.12 (c) and with the approval of the Administrator, (i) may accept a proposal from a Government agency, the Reconstruction Finance Corporation for resale to small business, State or local government, or nonprofit institution, in that order of priority, to take over and assume the obligations of the lease, if legally permissible, and dispose of any structures or improvements located in or on the property by any one or more of the following methods:

(a) By disposition to the transferee or assignee for a consideration that is fair and reasonable under all the circumstances,

(b) By transfer to the lessor or owner of the premises in full or partial satisfaction of any obligation to restore the premises, or upon release by the lessor or owner of a restoration obligation plus the payment of a consideration that is fair and reasonable under all the circumstances,

(c) By disposition in accordance with contractual commitments, or

(d) By transfer to the War Assets Administration for demolition, unless otherwise authorized by the Administrator; or

(ii) may cancel the lease, if legally permissible, and dispose of any structures or improvements, first, by either or both of the methods enumerated in (b) or (c) above; second, by disposition to a Government agency, the Reconstruction Finance Corporation for resale to small business, State or local government, or nonprofit institution, in that order of priority; or third, by transfer to the War Assets Administration for demolition, unless otherwise authorized by the Administrator.

(2) *Improvements; Government-owned land.* In the case of Government-owned land, the disposal agency may dispose of structures and improvements with the land or intact and separate from the land. If sold with the land, the priorities applicable to the land would apply. If sold intact separate from the land, priorities would be recognized for Government agencies, the Reconstruction Finance Corporation for resale to small business, State or local governments, and nonprofit institutions, in that order and subject to the provisions of § 8305.12 (c) (2) and (3). If such structures and improvements are not to be so disposed of, the disposal agency shall forward a declaration of surplus covering such structures and improvements to War Assets Administration for demolition, unless otherwise authorized by the Administrator.

(o) *Disposal of personalty.* Where equipment and supplies are assigned for disposition in conjunction with real property, they may be disposed of with the real property, and any discount applicable to the real property shall apply also to the equipment and supplies. The disposal agency shall hold the real property and personalty intact until such time as the disposal agency determines that the retention of the personalty will not facilitate the disposition of the real property. *Provided*, That in no event shall the personal property be separated from the real property until such time as such property has been offered for disposition intact and the period for the submission of bids has expired. Upon such determination by the disposal agency, the declaration covering the personal property shall be forwarded to the agency designated in Part 8301 to dispose of such personalty, with notice to the Administrator, and the real property may be re-advertised for disposition without the personalty.

§ 8305.13 *Records and reports.* Owning and disposal agencies shall prepare and maintain such records as will show full compliance with the provisions of this part as to each disposal transaction. The information in such records shall be available at all reasonable times for public inspection. Reports shall be prepared and filed with the Administrator in such manner as may be specified by orders issued under this part, subject to the ap-

proval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 8305.14 *Regulations by agencies to be reported to the Administrator.* Each owning agency and each disposal agency shall file with the Administrator copies of all regulations, orders and instructions of general applicability which it may issue in furtherance of the provisions, or any of them, of this part.

This revision of this part shall become effective October 12, 1946.

ROBERT M. LITTLEJOHN,
Administrator.

OCTOBER 12, 1946.

EXHIBIT A

INSTRUCTIONS: The matters set forth herein are required to be included in all notices. Other matters may be added, and the typography and headings may be varied, to the extent that the disposal agency deems it desirable. The priority period given in the notice should be modified to the extent necessary to allow for any extensions.

NOTICE OF SALE

Surplus Government Real Property

The _____ hereby gives
(name of disposal agency)

notice that it now has available for disposal, under the Surplus Property Act of 1944 and War Assets Administration Regulation 5, the following real property which has been declared surplus by the Government:

(Here give general description including improvements and location. Full legal description need not be included.)

Terms and conditions of sale and all necessary information concerning the property and the method of exercising priorities and submitting offers will be available on and after

(here give date not more than thirty (30) days after notice is first published)

at the office of _____
located at _____

Office hours are _____ to _____

Priorities. The property is subject to the following priorities in the order indicated:

(Here list priorities in their appropriate order.)

Priority period. The time for exercising priorities shall be _____

(here indicate)

commencing on _____
(specify date)

on which notice is first published)

and ending on _____

Persons not having a priority may also make offers during this period.

(Signature of officer authorized
to conduct disposal.)

EXHIBIT B

GOVERNMENT AGENCIES TO BE GIVEN NOTICE
OF IMPENDING DISPOSAL BY MAIL:

Department of State.
Department of the Treasury.
Department of War.
Department of Justice.
Post Office Department.
Department of the Navy.
Department of the Interior.
Department of Agriculture.
Department of Commerce.
Reconstruction Finance Corporation.
Department of Labor.
Federal Communications Commission.
Federal Power Commission.
U. S. Maritime Commission.

National Housing Agency.
Tennessee Valley Authority.
Veterans' Administration.
Office of Scientific Research and Development.

Federal Works Agency.

The mail address of these agencies is Washington 25, D. C.

[F. R. Doc. 46-19512; Filed, Oct. 25, 1946; 10:40 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 207—NAVIGATION REGULATIONS

WATERWAYS TRIBUTARY TO GULF OF MEXICO (EXCEPT MISSISSIPPI RIVER, ITS TRIBUTARIES AND OUTLETS) FROM ST. MARKS, FLA., TO RIO GRANDE

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917, § 207.180 is hereby revised as follows:

§ 207.180 *All waterways tributary to the Gulf of Mexico (except the Mississippi River, its tributaries and outlets) from St. Marks, Fla., to the Rio Grande; use, administration, and navigation—(a) Description.* This section shall apply to:

(1) *Waterways.* All navigable waters of the United States which are tributary to or connected by other waterways with the Gulf of Mexico between St. Marks River, Florida, and the Rio Grande, Texas, both inclusive, except the Mississippi River, its tributaries and outlets, and including the Intracoastal Waterway from Apalachee Bay, Florida, to Brownsville, Texas.

(2) *Locks and floodgates.* All locks, floodgates, and appurtenant structures in the above-described waterways.

(3) *Bridges, wharves, and other structures.* All bridges, wharves, and other structures in or over the above-described waterways.

(4) *Vessels and rafts.* The term "vessels" as used in this section includes all floating craft other than rafts.

(b) *Authority of District Engineers.* The use, administration, and navigation of the waterways and structures to which this section applies shall be under the direction of the officers of the Corps of Engineers, United States Army, detailed in charge of the respective districts, and their authorized assistants. The cities in which these District Engineers are located, and the limits of their jurisdiction, are as follows:

(1) *U. S. District Engineer, Mobile, Alabama.* From St. Marks River, Florida, to Pearl River, Mississippi and Louisiana, both inclusive, and the Intracoastal Waterway from Apalachee Bay, Florida, to Lighted Buoy No. 41, Lake Borgne, Louisiana, mile 36.4 east of Harvey Lock.

(2) *U. S. District Engineer, New Orleans, Louisiana.* From Pearl River, Mississippi and Louisiana, to Sabine River, Louisiana and Texas, both exclusive, and the Intracoastal Waterway from Lighted Buoy No. 41, Lake Borgne, Louisiana, mile 36.4 east of Harvey Lock, to Sabine River, mile 266 west of Harvey Lock.

(3) *U. S. District Engineer, Galveston, Texas.* From Sabine River, Louisiana and Texas, to the Rio Grande, both inclusive, and the Intracoastal Waterway from Sabine River, mile 266 west of Harvey Lock, to Brownsville, Texas.

(c) *Commercial statistics.* (1) As required by section 11 of the River and Harbor Act of September 22, 1922 (42 Stat. 1043; 33 U. S. C. 555), owners, agents, masters, or clerks of vessels plying upon the waterways to which this section applies shall submit a report on such activities for statistical purposes which shall contain the following information:

- (i) Name of vessel.
- (ii) Name and address of owner or operator.
- (iii) Type of vessel: steam, motor, sail, barge, or other type.
- (iv) Net registered tonnage; if not registered, cargo carrying capacity expressed in short tons.
- (v) Maximum draft at time of passage.
- (vi) Number of passengers.
- (vii) Cargo, by commodities, expressed in short tons or other units by which such commodities are customarily measured, giving origin and destination.

(2) All persons rafting and towing logs shall submit a report giving such statistical information on their activities as may be required by the District Engineer.

(3) Reports may be submitted on forms furnished free of charge by the District Engineer. They shall be presented to the lockmaster at any of the Federally operated locks, the gatetender at any of the Federally operated floodgates, or the bridgetender at any of the bridges operated by the War Department, for each trip made. Where no Federally operated locks, floodgates, or bridges are passed, they shall be mailed promptly to the District Engineer. On written request, persons or corporations making frequent use of these waterways may be granted permission to submit monthly statements in lieu of reports by trips.

(d) *Locks and floodgates—(1) Authority.* The locking of all vessels and rafts and their movements while in a lock, or in the approaches thereto, shall be under the direction of the lockmaster. The term "lockmaster" as used in these regulations shall mean the lock official present who is in charge of the operation of the lock. Passage through floodgates shall be under the direction of the gatetender.

(2) *Sound signals.* Vessels desiring passage through a lock or floodgate in either direction shall give notice to the lockmaster or gatetender by three long and distinct blasts of a horn or whistle or calls through a megaphone when within a reasonable distance from the lock or floodgate. When the lock or floodgate is ready for entrance, the lockmaster or gatetender shall reply with three long blasts of a horn or whistle or calls through a megaphone. When the lock or floodgate is not ready for entrance, the lockmaster or gatetender shall reply by four or more short, distinct blasts of a horn or whistle or calls through a megaphone (danger signal). Permission to leave the lock or floodgate shall be indicated by the lockmaster or gatetender by one long blast.

(3) *Visual signals.* Signal lights will be displayed from sunset to sunrise as follows:

(i) One green light to indicate that the lock or floodgate is open to approaching navigation.

(ii) One red light to indicate that the lock or floodgate is not open to approaching navigation.

(iii) In addition, at certain locks where navigation over the dam is possible during high water, one purple light, visible both upstream and downstream, will also be displayed to indicate that navigation over the dam is possible. If no purple light is displayed, navigation over the dam is not possible.

(iv) During daylight hours large balls, similar in color and number to the light signals prescribed for use at night, will be displayed from a mast on the lock wall or other convenient location and at the site of the floodgates.

(4) *Precedence at locks and floodgates.* Ordinarily, vessels or rafts arriving at locks or floodgates shall take precedence in order of their arrival, but in all cases vessels belonging to the United States or employed on public work shall have precedence over all others, passenger vessels shall have precedence over freight vessels, and individual vessels over tows or rafts. Small vessels will not be granted separate lockage when larger vessels are awaiting lockage, but will be required to lock through with other vessels. When two vessels approach the lock from opposite directions at approximately the same time, preference will ordinarily be given to the one for which the lock is prepared. When two vessels approach floodgates from opposite directions at approximately the same time, the vessel approaching the gates from the river side thereof will ordinarily have the right of way. In all cases, the order of actual entry shall be determined by the lockmaster or gatetender.

(5) *Entrance to and exit from locks and passage through floodgates.* No vessel or raft shall enter or leave locks or, while floodgates are in operation, attempt to pass through floodgates before being signalled to do so. While waiting their turn, vessels or rafts must not obstruct navigation and must remain at a safe distance from locks or floodgates. Before entering a lock they shall take position in the rear of any vessels or rafts that precede them, and there arrange the two for locking in sections if necessary. Masters and pilots of vessels or persons in charge of rafts shall cause no undue delay in entering or leaving locks or passing through floodgates receiving the proper signal, and shall take such action as will insure that the approaches are not at any time unnecessarily obstructed by parts of a tow awaiting lockage or already passed through. They shall provide sufficient men to move through locks or floodgates promptly without damage to the structures. Vessels or tows that fail to enter locks or pass through floodgates with reasonable promptness after being signalled to do so will lose their turn.

(6) *Lockage and passage of vessels.* (i) Vessels shall enter and leave locks and pass through floodgates under such

control as to prevent any damage to the locks, gates, gate walls, or fenders. Vessels shall be provided with suitable lines and fenders, shall always use fenders to protect the walls and gates, and when locking at night shall be provided with suitable lights and use them as directed. Vessels shall not meet or pass each other anywhere between the gate walls or fender system at the approaches to locks or floodgates.

(ii) Vessels which do not have a draft of at least three inches less than the depth over sills or breast walls, or which have projections liable to damage gates, walls, or fenders, shall not enter the approaches to or pass through locks or floodgates.

(iii) No vessel having chains, lines, or drags either hanging over the sides or ends or dragging on the bottom for steering or other purposes will be permitted to pass locks or dams or through floodgates.

(iv) Power vessels shall accompany tows through locks when so directed by the lockmaster.

(v) No vessel whose cargo projects beyond its sides will be admitted to lockage.

(vi) Vessels in a sinking condition shall not enter locks, floodgates, or approaches.

(vii) The passing of coal from flats or barges to steamers while in locks is prohibited.

(viii) The lockmaster or gatetender may refuse to lock or pass vessels which, in his judgment, fail to comply with this section.

(7) *Lockage of rafts.* Rafts shall be locked through in sections as directed by the lockmaster. No raft will be locked that is not constructed in accordance with the requirements stated in paragraph (f) of this section. The person in charge of a raft desiring lockage shall register with the lockmaster immediately upon arriving at the lock and receive instructions for locking.

(8) *Number of lockages.* Tows or rafts locking in sections will generally be allowed only two consecutive lockages if individual vessels are waiting for lockage, but may be allowed more in special cases. If tows or rafts are waiting above and below a lock for lockage, sections will be locked both ways alternately whenever practicable. When two or more tows or rafts are awaiting lockage in the same direction, no part of one shall pass the lock until the whole of the one preceding it shall have passed.

(9) *Mooring.* (i) Vessels and rafts when in a lock shall be moored where directed by the lockmaster by bow, stern, and spring lines to the snubbing posts or hooks provided for that purpose, and lines shall not be let go until the signal is given for the vessel or raft to leave. Tying to the lock ladders is prohibited.

(ii) The mooring of vessels or rafts near the approaches to locks except while waiting for lockage, or at other places in the pools where such mooring interferes with general navigation, is prohibited.

(10) *Operating locks.* The lock gates, valves, and accessories will be moved only under the direction of the lock-

master; but, if required, all vessels and rafts using the locks shall furnish ample help on the lock walls for handling lines under the direction of the lockmaster.

(e) *Waterways.*—(1) *Fairway.* A clear channel shall at all times be left open to permit free and unobstructed navigation by all types of vessels and rafts that normally use the various waterways or sections thereof. The District Engineer may specify the width of the fairway required in the various waterways under his charge.

(2) *Anchoring or mooring in waterway.* No vessels or rafts shall anchor or moor in any of the land cuts or other narrow parts of the waterway, except in an emergency. Whenever it becomes necessary for a vessel or raft to stop in any such portions of the waterway, it shall be securely fastened to one bank and as close to the bank as possible. This shall be done only at such a place and under such conditions as will not obstruct or prevent the passage of other vessels or rafts. Stoppages shall be only for such periods as may be necessary.

(i) Except temporarily, as authorized above, no vessel or raft will be allowed to use any portion of the fairway as a mooring place without written permission from the District Engineer.

(ii) When tied up individually, all vessels shall be moored by bow and stern lines. Rafts and tows shall be secured at sufficiently close intervals to insure their not being drawn away from the bank by winds, currents, or the suction of passing vessels. Tow lines shall be shortened so that the different parts of the tow will be as close together as possible. In narrow sections, no vessel or raft shall be tied abreast of another.

(iii) Lights shall be displayed in accordance with provisions of the Federal Pilot Rules.

(iv) Whenever any vessel or tow is moored to the bank, as authorized above, at least one crew member shall always remain on board to see that proper signals are displayed and that the vessel or tow is properly moored at all times.

(v) Vessels will not be permitted to load or unload in any of the land cuts, except at a regular established landing or wharf, without written permission secured in advance from the District Engineer.

(vi) No vessel, regardless of size, shall anchor in a dredged channel or narrow portion of a waterway for the purpose of fishing if navigation is obstructed thereby.

(3) *Speed.* Excessive speeding in narrow sections is prohibited. Official signs indicating limiting speeds through critical sections shall be strictly obeyed.

(i) When approaching and passing through a bridge, all vessels and rafts, regardless of size, shall control their speed so as to insure that no damage will be done to the bridge or its fenders.

(ii) A vessel shall reduce its speed sufficiently to prevent any damage when approaching another vessel in motion or tied up, a wharf or other structure, works under construction, plant engaged in river and harbor improvement, levees withstanding flood waters, buildings submerged or partially submerged by high

waters, or any other manner of structure or improvements likely to be damaged by collision, suction, or wave action.

(4) *Size, assembly, and handling of tows.* Tows longer than 1,000 feet exclusive of the towing vessel and hawser or wider than 55 feet, or of a width greater than one-half the bottom width of the channel over which they are to move, will not be allowed in channels 150 feet wide or less except on waterways exempted by the District Engineer or on other waterways by special permission of the District Engineer.

(i) All vessels drawing tows not equipped with rudders in restricted channels and land cuts shall use two tow lines or a bridle on one tow line shortened to the greatest possible extent so as to have full control at all times. The various parts of a tow shall be securely assembled with the individual units connected by lines as short as practicable. In open waters the tow line and fastenings between barges may be lengthened so as to accommodate the wave surge. In the case of lengthy or cumbersome tows, or tows in restricted channels, the District Engineer may require that tows be broken up, and may require the installation of a rudder or other approved steering device on the tow in order to avoid obstructing navigation or damaging the property of others. Pushing or towing of barges with towing vessel made up astern or alongside is permissible provided that adequate power is employed to keep the tow under full control at all times. Tows made up in this manner longer than 850 feet including the towing vessel or wider than 55 feet including the towing vessel, or of a width greater than one-half the bottom width of the channel over which they are to move, will not be allowed in channels 150 feet wide or less except by special permission of the District Engineer.

(ii) No tow shall be drawn by a vessel that has insufficient power or crew to permit ready maneuverability and safe handling.

(iii) No vessel or tow shall navigate through a drawbridge until the movable span is fully opened.

(5) *Projections from vessels.* No vessel carrying a deck load which overhangs or projects over the side, or whose rigging projects over the side, so as to endanger passing vessels, wharves, or other property, shall enter or pass through any of the narrow parts of the waterway.

(6) *Meeting and passing.* Vessels on meeting or overtaking shall give the proper signals and pass in accordance with Federal Pilot Rules. Rafts shall give to vessels the side demanded by proper signal. All vessels approaching dredges or other plant engaged on improvements to a waterway shall give the signal for passing and slow down sufficiently to stop if so ordered or if no answering signal is received. On receiving the answering signal, they shall then pass at a speed sufficiently slow to insure safe navigation. Vessels approaching an intersection or bend where the view is obstructed must exercise due caution. At certain intersections where strong currents may be encountered, sailing directions may be issued from time to time through naviga-

tion bulletins or signs posted on each side of the intersections which must be observed.

(f) *Rafts.* Rafts will be permitted to navigate a waterway only if properly and securely assembled. The passage of "bag" or "sack" rafts, "dog" rafts, or loose logs over any portion of a waterway is prohibited. Each section of a raft shall be so secured within itself as to prevent the sinking of any log, and so fastened or tied with chains or wire rope that it cannot be separated or bag out so as to materially change its shape. All dogs, chains, and other means used in assembling rafts shall be in good condition and of ample size and strength to accomplish their purpose.

(1) No section of a raft will be permitted to be towed over any portion of a waterway unless the logs float sufficiently high in the water to make it evident that the section will not sink en route.

(2) Frequent inspections shall be made by the person in charge of each raft to insure that all fastenings remain secure, and when any one is found to have loosened it shall be repaired at once. Should any log or section be lost from a raft, the fact must be promptly reported to the District Engineer, giving as definitely as possible the exact point at which the loss occurred. In all cases the owner of the lost log or section shall take steps immediately to remove it from the waterway.

(3) The regulations prescribed in paragraph (e) (4) of this section governing the length and width of tows shall apply also to rafts.

(4) All rafts shall carry sufficient men to enable them to be managed properly, and to keep them from being an obstruction to other craft using the waterway. To permit safe passage in a narrow channel rafts shall, if necessary, stop and tie up along side the bank. Care must be exercised both in towing and mooring rafts to avoid the possibility of damage to aids to navigation maintained by or under authority of the United States.

(5) When rafts are left for any reason with no one in attendance, they shall be securely tied at each end and at as many intermediate points as may be necessary to keep the timbers from bagging into the stream and must be moored so as to conform to the shape of the bank. From sunset to sunrise, rafts moored to the bank shall have lights at 200-foot intervals along their entire length. Rafts shall not be moored at prominent projections of the bank or at critical sections.

(6) Logs may be stored in certain tributary streams provided a clear channel at least one-half the width of the channel be left for navigation along the tributary. Such storage spaces shall be protected by booms and, if necessary to maintain an open channel, piling shall also be used. Authority for placing such booms and piling shall be obtained by written permit from the District Engineer.

(7) The building, assembling, or breaking up of a raft in a waterway will be permitted only upon special authority

obtained from the District Engineer and under such conditions as he may prescribe.

(g) *Damage.* Masters and owners of vessels using the waterways to which this section applies shall be responsible for any damage caused by operations in violation of the regulations to canal revetments, lock piers and walls, floodgates and appurtenances, bridges, and bridge fenders, and for displacing or damaging buoys, stakes, spars, range lights, or other aids to navigation. Should any part of a revetment, lock, floodgate, or bridge be damaged, the master shall report that fact, and furnish a clear statement of how the damage occurred, to the nearest Government lockmaster, gatetender, or bridgetender, and by mail to the District Engineer in charge of the section of the waterway in which the damage occurred. Should any aid to navigation be damaged, the master shall report that fact immediately to the District Coast Guard Officer, New Orleans, Louisiana.

(h) *Marine accidents.* Masters, mates, pilots, owners, or other persons using the waterways to which this section applies shall report to the District Engineer by the most expeditious means available all marine accidents, such as fire, collision, sinking, or stranding, where there is possible obstruction of the channel or interference with navigation, furnishing a clear statement as to the name, address, and ownership of the vessel or vessels involved, the time and place, and the action taken. In all cases, the owner of a sunken vessel shall take immediate steps to properly mark the wreck.

(i) *Trespass on United States property.* Trespass on waterway property or injury to the banks, locks, floodgates, bridges, piers, fences, trees, houses, shops, or any other property of the United States pertaining to the waterway is strictly prohibited. No business, trading, or landing of freight or baggage will be allowed on or over Government piers, lock walls, floodgates, or bridges. [Regs. 4 Oct. 1946 (§ 800.211, Mexico, Gulf of—Tributaries) ENGWR].

(sec. 7, 40 Stat. 266; 33 U. S. C. 1)

[SEAL] EDWARD F. WITSELL,
Major General,
The Adjutant General.

[F. R. Doc. 46-19421; Filed, Oct. 28, 1946;
8:45 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 9—EXECUTIVE ORDERS, PROCLAMATIONS AND PUBLIC LAND ORDERS APPLICABLE TO THE NAVY

EXECUTIVE ORDERS COVERING NAVAL RESERVATIONS

CROSS REFERENCE: For an addition to the tabulation contained in § 9.5 see Executive Order 9795, *supra*, concerning the restoration of certain lands to the jurisdiction of the Territory of Hawaii.

TITLE 43—PUBLIC LANDS: INTERIOR

Subtitle A—Office of the Secretary of the Interior

PART 01—ORGANIZATION AND PROCEDURE

DESIGNATION OF SOLICITOR TO ACT AS UNDER SECRETARY OR ASSISTANT SECRETARY

CROSS REFERENCE: For extension of the duties of the Solicitor of the Department of the Interior, set forth in § 01.12, to include his designation to act under certain circumstances as the Under Secretary of the Interior or an Assistant Secretary of the Interior, see Executive Order 9794, *supra*.

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 87, Amdt. 4]

PART 95—CAR SERVICE

SUSPENSION OF DEMURRAGE RULES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 23d day of October, A. D. 1946,

Upon further consideration of Service Order No. 87 (7 F. R. 8066), as amended (7 F. R. 8434; 11 F. R. 4737, 8451), codified as § 95.500 of Title 49 C. F. R., and good cause appearing therefor:

It is ordered, That Service Order No. 87, as amended (codified as § 95.500 C. F. R.), be, and it is hereby, further amended by substituting the following paragraphs (a) and (c) for the paragraphs (a) and (c) thereof:

§ 95.500 *Suspension of demurrage rules—Trunk Line Tariff Bureau Tariff No. 139—C I. C. C. No. A-751, coal.* (a) The operation of demurrage rules contained in Trunk Line Tariff Bureau Tariff No. 139—C I. C. C. No. A-751, and supplements thereto, is hereby suspended, to the extent that the free time allowed on cars loaded with bituminous and cannel coal and the coal products described in said tariff exceeds six days; that the average free time on cars delivered to storage plants for subsequent delivery to vessels exceeds three days; subject to the exception shown below, that the settlement period for the average account exceeds two months; and that the operation of all of the provisions of said tariff inconsistent with this order is hereby suspended.

EXCEPTION. Any excess debits accruing at any point specified in the above named tariff in the account of any particular consignor or consignee during the settlement period ending at 7:00 a. m., November 1, 1946, which are not offset by credits accruing to the same party during that same period at the same point because sufficient such credits have not accrued to the particular consignor or consignee due to presently existing strike at the ports of maritime employees may be offset by excess credits accruing at the same point to the same consignor or consignee in the settlement period ending at 7:00 a. m., January 1, 1947.

(c) This order, as amended, shall expire at 7:00 a. m., January 1, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

It is further ordered, This amendment shall become effective at 12:01 a. m., October 31, 1946; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-19447; Filed, Oct. 28, 1946;
8:50 a. m.]

[S. O. 632]

PART 95—CAR SERVICE

TRAILER CARS PROHIBITED FOR LIVE STOCK

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 23rd day of October, A. D. 1946.

It appearing, that there is a shortage of freight cars for shipping ordinary livestock and that the railroad's practice of furnishing trailer live stock cars for the overflow of individual shipments at feed lots, concentration points and markets in the United States is aggravating the shortage of such cars; in the opinion of the Commission an emergency exists requiring immediate action in all sections of the country; it is ordered, that:

§ 95.632 *Trailer cars prohibited for live stock*—(a) *Prohibition*. No common carrier by railroad, subject to the Interstate Commerce Act, shall furnish or transport a live stock freight car as a trailer car for a portion of live stock which is an overflow from a carload or carloads comprising a single shipment of said livestock.

(b) *Application*. This order applies to (1) "Ordinary Live Stock" as described in Item 26425 of Consolidated Freight Classification No. 17; (2) interstate and intrastate traffic; (3) any feed lot, live stock market, or live stock concentration point where live stock is gathered for sale or market; (4) and only to live stock freight cars loaded or to be loaded on and after the effective date hereof at said feed lot, market or concentration point.

(5) This order shall not apply to live stock freight cars loaded pursuant to the twenty-eight hour law.

(c) *Regulations suspended; announcement required*. The operation of all rules, regulations and practices insofar as they conflict with the provisions of this order is hereby suspended and each railroad subject to this order, or its agent, shall publish, file and post a supplement to each of its tariffs affected

hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing such suspension.

(d) *Effective date*. This order shall become effective at 12:01 a. m., October 28, 1946.

(e) *Expiration date*. This order shall expire at 11:59 p. m., December 21, 1946, unless otherwise modified, changed, suspended or annulled by order of this Commission (40 Stat. 101, sec. 402, 418, 41 Stat. 476, 485, sec. 4, 10, 54 Stat. 901, 912; 49 U. S. C. 1 (10)-(17), 15 (4))

It is further ordered, that a copy of this order and direction be served upon each State railroad regulatory body, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46-19448; Filed, Oct. 28, 1946;
8:50 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Production and Marketing Administration.

[P. & S. Docket No. 1246]

ST. LOUIS NATIONAL STOCKYARDS CO.

NOTICE OF PETITION FOR MODIFICATION

By an order entered on May 9, 1946, and a supplemental order entered on June 26, 1946, made pursuant to the provisions of the Packers and Stockyards Act of 1921, as amended (7 U. S. C. A. 181 et seq.), the Secretary of Agriculture prescribed reasonable rates and charges to be made by respondent, the St. Louis National Stockyards Company. These rates and charges became effective July 1, 1946.

By a document filed on October 21, 1946, the St. Louis National Stockyards Company requests a modification of the Secretary's orders referred to above to permit it to file a supplement to its tariff, increasing its rates and charges for stockyards services as follows:

YARDAGE CHARGE

	Proposed increased rates	Existing rates
A. Livestock sold or resold in the Commission Division:	Cents per head	Cents per head
Cattle.....	58	49
Calves.....	36	33
Hogs.....	20	18
Sheep and goats.....	12	10
B. Livestock received directly by packers through the yards:		
Cattle.....	28	25
Calves.....	18	17
Hogs.....	10	9
Sheep and goats.....	6	5

Feed. For all livestock.

Hay. Cost f. o. b. stockyards plus 60 cents per cwt., except that in case of hay purchased in lots of one ton or more and placed on the fence but not fed out, then a discount of \$2 per ton will be granted.

The existing feed charge for hay is cost f. o. b. stockyards plus 55 cents per cwt., irrespective of quantity purchased and whether the buyer performs the feeding service.

No request was made for an increase in rates and charges for livestock resold at the stockyards other than in the Commission Division, and no request was made for an increase in charges for feed other than hay.

Effect of proposed modification. The effect of such proposed modifications, if granted, would result in additional revenue to the respondent and accordingly it appears that public notice should be given to all interested persons, including patrons of respondent, so that they may have an opportunity to manifest their desire to be heard on the matter.

Therefore, notice is hereby given to the public and to all interested persons of the request of the respondent for a further modification of the orders of the Secretary referred to above. All persons who desire to be heard on this matter should notify the Hearing Clerk, Office of the Solicitor, United States Department of Agriculture, Washington 25, D. C., within fifteen (15) days from the date of the publication of this order.

Copies hereof will be served on the respondent by registered mail or in person.

Done at Washington, D. C., this 24th day of October, 1946.

[SEAL] H. E. REED,
Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 46-19493; Filed, Oct. 28, 1946;
8:58 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 2573]

CHICAGO AND SOUTHERN AIR LINES, INC.

NOTICE OF HEARING

In the matter of the application of Chicago and Southern Air Lines, Inc., for a temporary exemption order under section 416 (b) of the Civil Aeronautics Act of 1938, as amended, authorizing service to Hot Springs, Arkansas, as an intermediate point on route No. 53.

Notice is hereby given that the above matter is assigned to be heard on October 29, 1946, 10 a. m., eastern standard time, in Room 6121 New Post Office Building, 12th Street and Pennsylvania Avenue, N. W., Washington, D. C., before Examiner William F. Cusick.

Dated at Washington, D. C., October 23, 1946.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-19419; Filed, Oct. 28, 1946;
8:53 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-794]

NEW PENN DEVELOPMENT CORP.

NOTICE OF APPLICATION

OCTOBER 23, 1946.

Notice is hereby given that on October 1, 1946, New Penn Development Corporation (Applicant), a Delaware corporation, having its principal place of business in the Borough of Port Allegany, McKean County, Pennsylvania, made application pursuant to section 7 (b) of the Natural Gas Act for permission and approval to abandon and remove as part of its utility system certain facilities formerly used for supplying natural gas to Brendel Natural Gas Corporation, successor to the Shaffer Gas Company, subject to the jurisdiction of the Federal Power Commission.

The facilities proposed to be abandoned and removed by the Applicant consist of:

(1) A transmission pipe line of 31,306 ft. of 4½-inch pipe situated in Erie County, Pennsylvania, being the same line through which natural gas was formerly supplied to the Brendel Natural Gas Corporation, successor to the Shaffer Natural Gas Company.

(2) Gathering lines, wells, and other facilities connected to the transmission line described in (1) hereof.

Applicant, in support of its application recites that in addition to its oil and gas operations it produces a small amount of gas in Erie County, Pennsylvania, near the Ohio State line, formerly sold to the Shaffer Gas Company, pursuant to a contract filed with the Federal Power Commission, the business of which has been succeeded to by the Brendel Natural Gas Corporation; that the contract, dated March 31, 1939, under which natural gas was sold by the Applicant to the Shaffer Gas Company, was to continue in effect for so long a time as Applicant should have sufficient natural gas from its field of production in Springfield Township, Erie County, Pennsylvania, to make it profitable for it to deliver gas under the contract; that thereafter natural gas was sold to the Shaffer Gas Company under the agreement, as amended, until June 1, 1946, when the Brendel Natural Gas Corporation, successor to the Shaffer Gas Company, closed its connections with the Applicant; that from June 1, 1946, no natural gas has been delivered or received under the terms of the contract referred to, or otherwise, and on August 5, 1946, the Brendel Natural Gas Corporation executed a cancellation contract with the Applicant.

Applicant further recites, in support of its application, that it now owns only three leases in Springfield Township, Erie County, Pennsylvania, upon which are situated nine gas wells; that the total production of gas from these wells at present is only 9,000 cu. ft. per day; that it is no longer profitable to operate said wells.

Applicant further states that there are no consumers being served from any lines or wells which it desires to abandon; that no natural gas is now being transmitted through the facilities which

it desires to abandon; that no gas is purchased thereby, no service is rendered therefrom, and there is no possibility of future use thereof; that the contract dated May 26, 1941 with the Ohio Oil Company, under which Applicant purchased gas produced by the Ohio Oil Company in Springfield Township, Erie County, Pennsylvania, was succeeded to by the Carnegie-Illinois Steel Corporation under the terms of an assignment dated January 7, 1946; that thereafter, and until May 31, 1946, deliveries of gas under this contract were made at the rate of 16,000 cu. ft. per day until deliveries were discontinued; that the Carnegie-Illinois Steel Corporation, successor to the Ohio Oil Company interests in the field and this contract, has consented to the cancellation of the contract for the sale of gas and to the abandonment of Applicant's facilities in this area.

Applicant further states that the original cost of the leases and property owned by it in Erie County, Pennsylvania, was \$66,316.51; that the book reserves for depreciation and depletion applicable to said property is \$53,950.11; that the estimated salvage value of all property owned by Applicant in this area is approximately \$15,000.

Any interested State commission is requested to notify the Federal Power Commission whether the application should be considered under the cooperative provisions of the Commission's rules of practice and procedure, and, if so, to advise the Federal Power Commission as to the nature of its interest in the matter, and whether it desires a conference, the creation of a board, or a joint or concurrent hearing, together with the reasons for such request.

Any person desiring to be heard or to make any protest with reference to the application of New Penn Development Corporation should file with the Federal Power Commission, Washington 25, D. C., not later than 15 days from the date of publication of this notice in the FEDERAL REGISTER, a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL]

LEON M. FUQUAY,
Secretary.[F. R. Doc. 46-19426; Filed, Oct. 28, 1946;
8:53 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 7194]

KATHERINE ERDMAN

In re: Estate of Katherine Erdman, deceased. File No. D-28-10215, E. T. sec. 14560.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of

Hans Ruppert, Katie Ruppert, Lenhard Ruppert, and Walther Ruppert, and each of them, in and to the Estate of Katherine Erdman, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Hans Ruppert, Germany.
Katie Ruppert, Germany.
Lenhard Ruppert, Germany.
Walther Ruppert, Germany.

That such property is in the process of administration by G. Bernhard Quick, as Executor, acting under the judicial supervision of the Surrogate's Court of Erie County, New York.

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 23, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.[F. R. Doc. 46-19483; Filed, Oct. 28, 1946;
9:00 a. m.]

[Vesting Order 7385]

WILLIAM W. McLaurin

In re: Trust u/w of William W. McLaurin, deceased. File No. D-28-9214; E. T. sec. 11987.

Transferred to Office of Alien Property, Department of Justice, by Executive Order 9788.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Mrs. Leni Schlink (formerly Heichemer) in and to the trust created under the will of William W. McLaurin, deceased,

is property payable or deliverable to, or claimed by a national of a designated enemy country, Germany, namely,

National and Last Known Address

Mrs. Leni Schlink (formerly Heichemer), Germany.

That such property is in the process of administration by Old Colony Trust Company, trustee under the will of William W. McLaurin, deceased, acting under the judicial supervision of the Court of Probate in Worcester County, Massachusetts;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-19484; Filed, Oct. 28, 1946;
9:00 a. m.]

[Vesting Order 7386]

GOTTLIEB PLEISS

In re: Estate of Gottlieb Pleiss, deceased. File D-28-10297; E. T. sec. 14672.
Under the authority of the Trading With the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Adolph Bruckman, Ernst Bruckman, Euguen Schaufelen and Emilie Schaufelen, and each of them, in and to the Estate of Gottlieb Pleiss, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Adolph Bruckman, Germany.
Ernst Bruckman, Germany.
Eugen Schaufelen, Germany.
Emilie Schaufelen, Germany.

That such property is in the process of administration by L. O. Soehner, as administrator of the Estate of Gottlieb Pleiss, acting under the judicial supervision of the County Court of Yuma County, State of Colorado;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-19485; Filed, Oct. 28, 1946;
9:00 a. m.]

[Vesting Order 7390]

NUMA S. TRIVAS AND ANNIE CASPARI

Cash on Deposit with the Treasurer of the City of New York, formerly held in trust by Numa S. Trivas, deceased, for the benefit of Annie Caspari. File No. D-28-9598; E. T. sec. 13220.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: Cash in the amount of \$2,520.90

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Frau Annie Caspari, Germany.

That such property is in the process of administration by The Treasurer of the City of New York acting under the judicial supervision of the Surrogate's Court, New York County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-19486; Filed, Oct. 28, 1946;
9:00 a. m.]

[Vesting Order 7400]

NICOLINE KYLLING

In re: Cash owned by Nicoline Kylling, also known as Mrs. Johs. Kylling.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That Nicoline Kylling, also known as Mrs. Johs. Kylling, whose last known address is Osleshausen, Stubenstrasse 1, Bremen, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Cash in the sum of \$30.69 which is being held on deposit in the Registry of the Clerk of the Superior Court of the State of Washington for Jefferson County, Port Townsend, Washington, in the account of Nicoline Kylling in Cause No. 4965,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on August 14, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-19487; Filed, Oct. 28, 1946;
8:59 a. m.]

[Vesting Order 7520]

MARIE W. PETERS

In re: Estate of Marie W. Peters, deceased. File D-28-8950; E. T. sec. 11264.

Under the authority of the Trading With the Enemy Act, as amended, and

Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ewald Eden and his heirs, Bernhard Eden and his heirs, and Children, names unknown, of Johanna Janssen, Heinrich Peters, Hermann Peters, Rinelda Bujs, Thede Kirchhoff, Etta Bujs and Hilka Klun, and each of them, in and to the Estate of Marie W. Peters, deceased.

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Ewald Eden and his heirs, Germany.
Bernhard Eden and his heirs, Germany.
Children, names unknown, of—
Johanna Janssen, Germany.
Heinrich Peters, Germany.
Hermann Peters, Germany.
Rinelda Bujs, Germany.
Thede Kirchhoff, Germany.
Etta Bujs, Germany.
Hilka Klun, Germany.

That such property is in the process of administration by the Security First National Bank of Los Angeles, as Executor of the Estate of Marie W. Peters, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on September 4, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-19488; Filed, Oct. 28, 1946;
8:59 a. m.]

[Vesting Order 7616]

KATIE DOSCHER

In re: Estate of Katie Doscher, deceased. File No. D-28-8353; E. T. sec. 9690.

Under the authority of the Trading With the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Henry Doscher, Johanne Reiness, the children of Johanne Reiness, whose names are unknown; Anna Viebuch, the children of Anna Viebuch, whose names are unknown; John Doscher, Matilda Bück and the children of Matilda Bück, whose names are unknown, and each of them, in and to the Estate of Katie Doscher, deceased,

is property payable or deliverable to, or claimed by nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Henry Doscher, Germany.
Johanne Reiness, Germany.
The children of Johanne Reiness, whose names are unknown, Germany.
Anna Viebuch, Germany.
The children of Anna Viebuch, whose names are unknown, Germany.
John Doscher, Germany.
Matilda Bück, Germany.
The children of Matilda Bück, whose names are unknown, Germany.

That such property is in the process of administration by Patrick J. Grace, Jr., Esq., as Executor under the Will of Katie Doscher, deceased, acting under the judicial supervision of the Surrogate's Court, Kings County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending

further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-19489; Filed, Oct. 28, 1946;
8:59 a. m.]

[Vesting Order 7644]

REINHARD STIRTZEL

In re: Estate of Reinhard Stirtzel, deceased. File No. F-28-22494; E. T. sec. 14592.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Albin Stirtzel, child or children of Albin Stirtzel, names unknown, child or children of Ludwig Stirtzel, deceased, names unknown, child or children of Carolina Gutgesell, deceased, names unknown, child or children of Emma Luther, deceased, names unknown, in and to the Estate of Reinhard Stirtzel, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Albin Stirtzel, Germany.

Child or children of Albin Stirtzel, names unknown, Germany.

Child or children of Ludwig Stirtzel, deceased, names unknown, Germany.

Child or children of Carolina Gutgesell, deceased, names unknown, Germany.

Child or children of Emma Luther, deceased, names unknown, Germany.

That such property is in the process of administration by Olmar J. Pellet, Executor of the Estate of Reinhard Stirtzel, deceased, acting under the judicial supervision of the Hudson County Orphans' Court, Jersey City, N. J.;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country, (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 18, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-19491; Filed, Oct. 28, 1946;
8:58 a. m.]

[Vesting Order 7816]

JUNICHI FUJII

In re: Bank accounts and certificate of deposit owned by Junichi Fujii. F-39-1499.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Junichi Fujii, whose last known address is 22 Nakajima Honmachi, Hiroshima, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. That certain debt or other obligation owing to Junichi Fujii by Bank of Hawaii, Honolulu, T. H., arising out of a

blocked savings account, Account Number 149781, entitled Junichi Fujii, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation owing to Junichi Fujii by Bishop National Bank of Hawaii, Honolulu, T. H., in the amount of \$1530.15, as of July 10, 1946, and any and all accruals thereto, evidenced by Certificate of Deposit No. 3620, issued by said Bishop National Bank of Hawaii, and any and all rights to demand, enforce and collect the aforementioned debt or other obligation and the aforementioned certificate of deposit, and

c. That certain debt or other obligation owing to Shigeo Oshima, by Bank of Hawaii, Honolulu, T. H., arising out of a blocked savings account, Account Number 158309, entitled Shigeo Oshima, Tr. for Junichi Fujii and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Junichi Fujii, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 10, 1946.

[SEAL]

JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-19490; Filed, Oct. 28, 1946;
8:58 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 59-22, 52-27, 54-125]

NORTH AMERICAN GAS & ELECTRIC CO.,
ET AL.ORDER SEVERING RELATIONSHIP AND
RESERVING JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of October, A. D. 1946.

In the Matter of North American Gas and Electric Company, Washington Gas and Electric Company, Nathan A. Smyth and Leo Loeb, Trustees of the Estate of Washington Gas and Electric Company, and their Subsidiary Companies, respondents, file No. 59-22; Nathan A. Smyth and Leo Loeb, as Trustees in Reorganization Under Chapter X of the Bankruptcy Act of Washington Gas and Electric Company, debtor, File No. 52-27; Nathan A. Smyth and Leo Loeb, as Trustees in Reorganization Under Chapter X of the Bankruptcy Act of Washington Gas and Electric Company, debtor; Southern Utah Power Company, file No. 54-125.

The Commission having on June 6, 1941, by notice of and order for hearing, instituted proceedings under sections 11 (b) (1) and 11 (b) (2) of the Public Utility Holding Company Act of 1935 with respect to North American Gas and Electric Company ("North American"), Washington Gas and Electric Company ("Washington") and their subsidiary companies, and having on August 21, 1946, by notice of and order for hearing, consolidated said proceedings with proceedings upon an application under section 11 (f) of the act filed by Nathan A. Smyth as one of the Trustees in Reorganization under Chapter X of the Bankruptcy Act of Washington Gas and Electric Company, Debtor, for approval of a plan of reorganization of Washington and of an amended plan for the recapitalization of Southern Utah Power Company ("Southern Utah");

Hearings having been held after due notice, the said Trustees and Southern Utah having appeared in said consolidated proceedings and consented to the entry of an order herein; and

It appearing that said Trustees have made no claim and offered no proof with respect to the question of whether Southern Utah Power Company may be retained within the holding company system of Washington Gas and Electric Company under the standards of section 11 (b) (1) of the act; and it further appearing from the record that such company may not be retained under the requirements of section 11 (b) (1) of said act; and

The Commission being advised in the premises and having this day issued its memorandum findings and opinion herein:

It is ordered, Pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935, that Washington Gas and Electric Company, a registered holding company, and Nathan A. Smyth and Leo Loeb, as Trustees of Washington

Gas and Electric Company, Debtor in Reorganization under Chapter X of the Bankruptcy Act, also a registered holding company, shall sever their relationship with Southern Utah Power Company by disposing or causing the disposition, in any appropriate manner not in contravention of the applicable provisions of the said act or the rules and regulations promulgated thereunder and particularly Rule U-44 (c), of their direct and indirect ownership, control and holding of securities issued and properties owner, controlled or operated by Southern Utah Power Company; and

It is further provided, That jurisdiction is expressly reserved to determine all issues in these consolidated proceedings not disposed of in the memorandum findings and opinion and order this day issued and to make such orders as the Commission shall deem necessary or appropriate to effectuate compliance by the said Trustees and the respondents in said proceedings with section 11 (b) (1) of the act.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 46-19446; Filed, Oct. 28, 1946;
8:52 a. m.]

SELECTIVE SERVICE SYSTEM.

[No. 325]

CERTIFICATE OF COMMENDATION
ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Addition of new forms designated as DSS Form 36-A and DSS Form 36-B, entitled "Certificate of Commendation."

The foregoing addition shall become a part of the Selective Service Regulations effective within the Continental United States immediately upon the filing herewith of the Division of the Federal Register and effective outside the Continental limits of the United States on the 30th day after the date of filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

SEPTEMBER 3, 1946.

[F. R. Doc. 46-19451; Filed, Oct. 28, 1946;
8:49 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[RMFR 136, Amdt. 6 to Order 506]

POWER-OPERATED GASOLINE DISPENSING
PUMPS

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 30 of

* Filed with the Division of the Federal Register.

Revised Maximum Price Regulation 136, It is ordered:

Order No. 506 under Revised Maximum Price Regulation 136 is hereby amended in the following respects:

1. Paragraph (a) is amended to read as follows:

(a) The maximum prices for sales of power-operated gasoline dispensing pumps, computing and non-computing, by manufacturers of such pumps shall be the base prices increased by 21%.

2. Paragraph (j) is added to read as follows:

(j) As used in this order, the phrase "base prices" shall mean the maximum prices established under section 7, or computed under sections 8, 9 or 10 of Revised Maximum Price Regulation 136, before the addition of any increase provided to an individual manufacturer by an individual adjustment under the provisions of Revised Maximum Price Regulation 136 or Supplementary Order No. 142.

This amendment shall become effective November 2, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendment 6 to Order No. 506 Under Revised Maximum Price Regulation 136

Manufacturers of power-operated gasoline dispensing pumps, computing and non-computing, have to date been granted three price adjustments, 9.2% by Order No. 506 under Revised Maximum Price Regulation No. 136, 16.1% by Amendment 3 to Order No. 506, and 21% by Amendment 5 to Order No. 506. In each instance the price increase was applied to the maximum published list or established prices in effect on October 1, 1941.

Within the past few months several manufacturers have filed for approval of maximum prices for newly designed models of these gasoline dispensing pumps. These maximum prices are computed under the price-determining method in effect on October 1, 1941, in accordance with sections 9 and 10 of Revised Maximum Price Regulation No. 136 and are, in effect, those maximum prices which would have been published or established on October 1, 1941, if such pump models had been in production at that time. In view of the fact that the increases in cost of production since October 1, 1941, have been the same, in general, for the new as for the old models of these gasoline dispensing pumps, Order No. 506 is being amended in order that the increase of 21% may be applied to those prices computed under sections 9 and 10 of Revised Maximum Price Regulation No. 136. This action will permit a more equitable price pattern in the industry and will remove the impediment to the production of new models of gasoline dispensing pumps, power-operated.

[F. R. Doc. 46-19657; Filed, Oct. 28, 1946;
11:47 a. m.]

[MPR 188, Amdt. 98 to Order A-1]

CONSUMERS' GOODS OTHER THAN APPAREL
MANUFACTURERS' MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order A-1 is amended in the following respects:

1. Paragraph (a) (8) (i) is amended by adding the following sentence:

Any manufacturer selling the above items in quantities of less than one gallon may increase his established maximum prices for the products listed above by the proportionate amount of the increase permitted per gallon above, and may round off the resulting adjusted maximum prices to the nearest one cent.

2. Paragraph (a) (8) (ii) is amended by changing the period at the end thereof to a comma and adding the following words: "and may round off the resulting adjusted maximum prices to the nearest one cent."

This amendment shall become effective November 2, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendment No. 98 to Order A-1 Under § 1499.159b of Maximum Price Regulation No. 188

Amendment 97 to Order A-1 under § 1499.159b of Maximum Price Regulation No. 188 which incorporated paragraph (a) (8) into Order A-1, permitted manufacturers of certain trade sales paints to increase their established maximum prices by certain specific amounts for each product. Inadvertently no provision was made for manufacturers of these trade sales paints who sell in quantities of less than one gallon. Accordingly this amendment amends paragraph (a) (8) of Order A-1 to permit the proportionate adjustment on sales of quantities of less than one gallon.

In accordance with customary trade practices the resulting maximum prices of both manufacturers and resellers, may be rounded off to the nearest one cent.

[F. R. Doc. 46-19649; Filed, Oct. 28, 1946; 11:45 a. m.]

[MPR 188, Amdt. 5 to Order 4800]

SALES OF FURNITURE
ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188, It is ordered:

Order No. 4800 under Maximum Price Regulation No. 188 is amended in the following respects:

1. Section 3 is amended to read as follows:

SEC. 3. *What this order does.* This order provides two methods by which you may adjust your maximum prices for sales of most of the articles covered by this order. The first applies only to

"essential low-end" articles and is set forth in section 4. The second applies to certain categories of all articles covered by this order, and is set forth in section 5 (for all-wood furniture) and section 6 (for upholstered furniture). Under this method you first divide each of your categories of articles (listed in Appendix B and C) into three price brackets, called "low bracket", "medium bracket", and "high bracket". A different percentage amount of adjustment is provided for each bracket. In addition the maximum prices for articles covered by this order which are not eligible for adjustment under sections 4, 5, or 6, may be adjusted as was originally provided in Order No. 1052 under Maximum Price Regulation No. 188 except that in the case of articles of upholstered furniture the adjustment authorized is now 4%.

This order replaces Order No. 1052 under Maximum Price Regulation No. 188, which is being revoked simultaneously with the issuance of this order.

2. The first paragraph of section 6 is amended to read as follows:

SEC. 6. *"Price-bracket" adjustments for manufacturers of upholstered furniture.* This section provides a method by which manufacturers of "upholstered furniture" may adjust their maximum prices for all articles belonging in the categories listed in Appendix C. If some of the articles which you manufacture are also essential low-end articles (as defined in section 4) you may adjust your maximum prices for those articles under section 4 instead of this section. For the purposes of this order, "upholstered furniture" means articles of household furniture which consist of a frame made predominantly of wood, filling material (with or without steel spring construction) and a fabric covering of more than one-half yard of 54-inch upholstery fabric or its equivalent.

The method provided by this section requires that you divide each of your categories of articles listed in Appendix C into three price brackets. That division is based on a single computation which involves your maximum prices (exclusive of any adjustment) for the articles when covered with "base grade" cover fabric.

3. Paragraph (a) of section 6 is amended to read as follows:

(a) *How you proceed with regard to a category which was in your line during March 1942—(1) Computations involving maximum prices in base grade.* For each category listed in Appendix C which you delivered or offered for delivery during March 1942, you divide your price line into three brackets in the following way:

Step 1. List each article (including "essential low-end" articles) which you delivered or offered for delivery during March 1942 whether or not it has been exempted from price control, and opposite it list your "highest price charged during March 1942" (as defined in § 1499.163 of Maximum Price Regulation No. 188) to that class of purchaser to which you customarily sold articles in that category in the largest dollar volume. The price which you list shall be for the article covered with your "base grade" fabric, exclu-

sive of all tailoring extras (such as special types of edging, etc.) and in your lowest priced upholstery construction. Your "base grade" fabric is the lowest cost fabric in which you offered the article in March 1942. (If you did not furnish cover fabrics your "base grade" is muslin or the customer's own material, whichever is lower.) List the articles in order from the lowest priced to the highest priced article. If more than one article in the category has the same price, list that price only once.

If you had some articles in that category during March 1942 which you delivered or offered for delivery only to classes of purchasers other than your largest volume class of purchaser, and if you cannot determine the "highest price charged during March 1942" for those articles to your largest volume class of purchaser because you do not have customary or established differentials between those classes of purchasers, list for those articles the highest price charged during March 1942 to any other class of purchaser except ultimate consumers.

Step 2. Count the number of price listings and divide that total by three, carrying the result to the one decimal place and rounding it to the nearest whole number. This whole number represents the number of price listings which fall into each of the "base grade low" and "base grade medium" brackets of your March 1942 line.

(2) Your base grade low-bracket cut-off point is the last listed price in those price listings at the beginning of your list not exceeding the number of price listings obtained through the calculation in Step 2 above. Your base grade medium bracket cut-off point is the last listed price of an equal number of price listings immediately following the base grade low-bracket cut-off point. In all cases under this section 6 any cut-off point which is determined is the cut-off point applicable on sales to your largest volume class of purchaser. The cut-off point applicable to sales to each other class of purchaser is found by applying to that cut-off point your customary or established differentials on sales to each other class of purchaser. If you do not have such differentials, but nevertheless during March 1942, delivered or offered for delivery articles in that category to other classes of purchasers, the cut-off point applicable on sales to your largest volume class of purchaser is also applicable on sales to all other classes of purchasers.

(3) All articles having a properly established maximum price in "base grade" cover fabric (exclusive of all adjustment charges) which is at or below your base grade low bracket cut-off point are low bracket articles for the particular category. This means that regardless of the maximum prices of such articles when covered with grades of cover fabric other than "base grade", all such articles are eligible for an adjustment of their maximum prices in any grade of cover fabric in the manner and by the percentage indicated below in subsection (f) of section 6 for low bracket articles. All articles having a properly established maximum price in "base grade" cover fabric (exclusive of all adjustment charges) which is above your base grade low bracket cut-off point but not above your base grade medium bracket cut-off point are medium bracket articles for the particular category. This means that regardless of the maximum prices of such articles when covered with grades of cover fab-

ric other than "base grade", all such articles are eligible for an adjustment of their maximum prices in any grade of cover fabric in the manner and by the percentage indicated below in subsection (f) of section 6 for medium bracket articles. All other articles in the particular category which you offered during March 1942, are your high bracket articles.

(4) (i) If you have only two "base grade" listings in a particular category you will have only two brackets—a medium bracket and a high bracket. Your base grade medium bracket cut-off point is the lower of the two prices listed. All articles for which you have a maximum price (exclusive of all adjustment charges) in "base grade" fabric at or below that cut-off point are medium bracket articles in the particular category in all grades of cover fabric in which they may be sold. All articles for which you have a maximum price (exclusive of all adjustment charges) in "base grade" fabric above that cut-off point are high bracket articles for the particular category in all grades of cover fabrics in which they may be sold.

(ii) If you have only one base grade price listed in a particular category, you will have only two brackets—a medium bracket and a high bracket. The article in that category for which you have listed the single price is considered a high bracket article in all grades of cover fabric in which it may be sold. In the event that the single listed price represents several listed articles in the category with the same price, all such articles are high bracket articles in any grade of cover fabric in which they may be sold. This means that all articles which you offered during March 1942, in a category of the type covered by this paragraph (4) (ii) will be high bracket articles. Articles in such a category which you offered subsequent to March 1942 will be determined to be high or medium bracket articles in accordance with the provisions of paragraph (5) below.

(5) This paragraph is intended to cover all articles belonging in a category which you had established in March 1942 but which (articles) were not offered during March 1942. For example: an article whose maximum price was established under the second or third pricing method of Maximum Price Regulation No. 188. Since such articles were not offered in March 1942 you do not have a price for the article in "base grade" fabric as defined in this order. Therefore, you will determine whether such articles are low, medium or high bracket articles by applying the following rules:

Step 1. Ascertain the maximum price (exclusive of all adjustment charges) of the article exclusive of all tailoring extras (such as special types of edging, etc.) in your lowest priced upholstery construction, and when covered with the lowest cost grade of cover fabric in which you offered an article in the category in March 1942. (If you do not furnish cover fabrics your lowest cost grade of fabric is muslin or customers' own material whichever is lower.)

Step 2. Ascertain whether the article belongs in a category which has more than two base grade price listings, two base grade price

listings, or one base grade price listing. If the category has more than two base grade price listings use Step 3 below. If the category has two base grade price listings use Step 4 below. If the category has one base grade price listing use Step 5 below.

Step 3. If the maximum price you have ascertained for the article under Step 1 is at or below the base period low-bracket cut-off point for the category then the article is a low bracket article and its maximum price in all grades of cover fabric may be adjusted in the manner and by the percentage indicated below in subsection (f) of section 6 for low-bracket articles. If that maximum price is above your base grade low-bracket cut-off point for the category but not above your base grade medium bracket cut-off point for the category then that article is considered a medium bracket article and its maximum price in all grades of cover fabric may be adjusted in the manner and by the percentage indicated below in subsection (f) of section 6 for medium bracket articles. If that maximum price exceeds your base grade medium bracket cut-off point then it is considered a high bracket article and its maximum price in all grades of cover fabric may be adjusted accordingly.

Step 4. If the maximum price you have ascertained for the article under Step 1 is at or below the base-period medium bracket cut-off point for the category which you determined under paragraph (4) (i) above, then the article is a medium bracket article and its maximum price in all grades of cover

fabric may be adjusted in the manner and by the percentage indicated below in subsection (f) of section 6 for medium bracket articles. If that maximum price is above that base grade medium bracket cut-off point then the article is a high bracket article and its maximum price in all grades of cover fabric may be adjusted in the manner and by the percentage indicated below in subsection (f) of section 6 for high bracket articles.

Step 5. If the maximum price you have ascertained for the article under Step 1 is below the single listed price in its category then the article is a medium bracket article and its maximum price in all grades of cover fabric may be adjusted in the manner and by the percentage indicated below in subsection (f) of section 6 for medium bracket articles. If that maximum price is at or above your single listed price for the category then the article is a high bracket article and its maximum price in all grades of cover fabric may be adjusted in the manner and by the percentage indicated below in subsection (f) of section 6 for high bracket articles.

Example of how a manufacturer finds his price brackets for upholstered furniture. If a manufacturer delivered or offered for delivery the following occasional chairs in the following fabric grades during March 1942 to retailers (which was his largest volume class of purchaser), he determines his price brackets and cut-off points for that category as follows:

CATEGORY 78, OCCASIONAL CHAIRS

Item	Base grade								
	A	B	C	D	E	F	G	H	I
110.....	\$9.00	\$11.25	\$13.50	\$15.75	\$18.00	\$20.25	\$22.50	\$24.75	\$27.00
111.....	10.50	12.75	15.00	17.25	19.50	21.75	24.00	26.25	28.50
112.....	11.25	13.50	15.75	18.00	20.25	22.50	24.75	27.00	29.25
113.....	12.00	14.25	16.50	18.75	21.00	23.25	25.50	27.75	30.00
114.....	13.75	16.00	18.25	20.50	22.75	25.00	27.25	29.50	31.75
115.....	14.25	16.50	18.75	21.00	23.25	25.50	27.75	30.00	32.25
116.....	14.75	17.00	19.25	21.50	23.75	26.00	28.25	30.50	32.75
117.....	15.25	17.50	19.75	22.00	24.25	26.50	28.75	31.00	33.25

LISTING OF FABRICS

Grade:	Cost per yard
A (base grade)—up to.....	\$0.50
B—\$0.50 and up to.....	.75
C—\$0.75 and up to.....	1.00
D—\$1.00 and up to.....	1.25
E—\$1.25 and up to.....	1.50
F—\$1.50 and up to.....	1.75
G—\$1.75 and up to.....	2.00
H—\$2.00 and up to.....	2.25
I—\$2.25 and up to.....	2.50

There are eight articles listed in base grade (grade A). Eight divided by 3 equals 2.7 which is rounded to 3. Therefore, the first three items listed represent his "base grade low bracket", the next three are his "base grade medium bracket." The highest priced article in his "base grade low bracket" is Item 112 at \$11.25; the highest priced article in his "base grade medium bracket" is Item 115 at \$14.25.

The manufacturer's base grade low bracket cut-off point is \$11.25. The manufacturer's base grade medium bracket cut-off point is \$14.25. Any occasional chair for which this manufacturer has a maximum price to retailers of \$11.25 or less when covered with "base grade" fabric is a low bracket article. Therefore, items 110, 111 and 112 are low bracket articles. He may increase the maximum prices of those items in any grade of cover fabric by 10 percent as provided in paragraph (c) of this section. Any occasional chair for which he has a maximum price to retailers above \$11.25 but not above \$14.25 when covered with "base grade" fabric is a medium bracket article. Therefore items 113, 114 and 115 are medium bracket articles.

He may increase the maximum prices of those items in any grade of cover fabric by 8% as provided in paragraph (f) of this section. Any occasional chair for which he has a maximum price when covered with "base grade" fabric to retailers above \$14.25 is a high bracket article. Therefore, items 117 and 118 are high bracket articles. He may increase the maximum prices of those items in any grade of cover fabric by 4%.

If the manufacturer in 1943 introduced a new occasional chair and the lowest maximum price (exclusive of all adjustment charges) which he can establish for the article is \$13.00 (when the article is covered with Grade A fabric, the lowest cost grade of cover fabric in which he offered an article in the category in March, 1942), that article would be a medium bracket article since that price is above his base grade low-bracket cutoff point of \$11.25. But not above his base grade medium bracket cutoff point of \$14.25. He may, therefore, increase not only the maximum price of \$13.00 for that article by 8% but also other maximum prices which he has or may establish for the article in various grades of cover fabric by the same percentage.

4. Section 6 (b) is amended to read as follows:

(b) How you proceed with regard to a category which you introduced after March 1942 and before December 28, 1945. For each category listed in Appendix C in which you did not deliver or offer for delivery articles during March 1942, but in which you had maximum

prices established before December 28, 1945, you proceed as follows:

(1) Your cut-off point for that category is the lowest maximum price (exclusive of all adjustment charges) established before December 28, 1945 for any article in that category in the lowest priced cover fabric in which you actually delivered the article. (If you do not furnish cover fabrics, your lowest priced cover fabric for this purpose is muslin or customer's own material, whichever price is lower.)

(2) Ascertain the maximum price (exclusive of all adjustments) of an article in the particular category exclusive of all tailoring extras (such as special types of edging, etc.) in your lowest priced upholstery construction and when covered with the same cost grade of fabric as the article whose maximum price you used under (1) above to ascertain your cut-off point for the category.

(3) If that maximum price is below the cut-off point for the particular category then the article is a medium bracket article and its maximum price in all grades of cover fabric may be adjusted as provided in subsection (f) below for medium bracket articles.

(4) If that maximum price is at or above the cut-off point for the particular category then the article is a high bracket article, and its maximum price in all grades of cover fabric may be adjusted as provided in subsection (f) below for high bracket articles.

The result of the foregoing provisions is that every article in a category under this section 6 (b) whose maximum price was properly established prior to December 28, 1945 (the issuance date of this order) is a high bracket article. You will have a medium bracket article in such categories only when you establish a maximum price for an article belonging in one of those categories which is lower than any maximum price established before December 28, 1945 for an article in the particular category. However, that maximum price must be the maximum price of the article when covered with the lowest priced cover fabric in which you actually delivered an article in the category prior to December 28, 1945.

5. Section 6 (f) is amended to read as follows:

(f) *Percentage amount of adjustment in each bracket.* You may increase your maximum price (exclusive of any adjustment charged) for sales to all classes of purchasers other than household consumers of an article of upholstered furniture belonging in a category listed in Appendix C by the appropriate one of the following percentages:

	Percent
Low bracket articles.....	10
Medium bracket articles.....	8
High bracket articles.....	4

For this purpose, "maximum price" means the maximum price properly determined under Maximum Price Regulation No. 188 after all trade, quantity and other discounts (except cash discounts) have been deducted. If you have a customary or established dollar-and-cent differential for the same article in different upholstery constructions, filling materials or tailoring extras (such as

edgings, decorative nails, etc.) the maximum price to which you apply the percentage permitted by this paragraph is your maximum price for the article in its lowest priced condition. Your customary or established dollar-and-cent differential may then be added to the maximum price so adjusted. However, if you wish to continue to adjust all of your maximum prices for articles of upholstered furniture as previously authorized by Order 1052 under Maximum Price Regulation No. 188, you may continue to compute your adjusted maximum prices for all such articles in the manner provided by that order prior to its revocation except that you must use a 4% adjustment charge instead of the 5% adjustment charge originally provided by Order 1052 under Maximum Price Regulation No. 188.

In figuring the amount by which you may increase your maximum price, fractions may be rounded to the nearest cent.

6. Section 7 is amended to read as follows:

SEC. 7. *Articles not eligible for adjustment under sections 4, 5, or 6.* This section authorized the adjustment of maximum prices for sales to all classes of purchasers other than ultimate household consumers of articles covered by this order when those articles are not eligible for any adjustment under sections 4, 5, or 6 of this order. For example: An article which does not fall into any of the categories listed in Appendix A, B, or C. You may increase your maximum prices (exclusive of all adjustment charges) for sales of those articles, except articles of upholstered furniture, by the same 5% which was originally authorized by Order 1052 under Maximum Price Regulation No. 188. In the case of articles of upholstered furniture you may now increase your maximum prices by 4% instead of the 5% originally authorized by Order 1052 under Maximum Price Regulation No. 188.

7. Section 9 (a) is amended to read as follows:

(a) This subsection (a) provides a simplified method of reporting if you adjust the maximum prices of all your articles covered by this order by no more than 5% in the case of "all-wood" furniture, or no more than 4% in the case of "upholstered" furniture. In any case, however, if you adjust any of your maximum prices by more than 5% in the case of "all-wood" furniture, or more than 4% in the case of "upholstered" furniture, then this subsection (a) is inapplicable to you and you must comply with the reporting requirements set forth below in subsection (b).

1. *"All-wood" furniture.* You need not file any reports for those articles if you notify the Office of Price Administration, Washington, D. C., that you are not adjusting any of your maximum prices by more than 5% and that with respect to the particular article you had filed the report required under Order 1052 under Maximum Price Regulation No. 188 before its revocation. However, if you did not file a report under Order 1052 for the particular article, you must report items (1) (2) and (7) below, that report must

be kept current by further filings if there are any changes in the facts previously reported.

2. *"Upholstered" furniture.* If you notify the Office of Price Administration, Washington, D. C. that you are not adjusting any of your maximum prices for those articles by more than 4%, you need only report items (1) (2) and (7) below. That report must be kept current by further filings if there is any change in the facts previously reported.

This means that you must report items (1) (2) and (7) below even though you have previously reported under Order 1052 under Maximum Price Regulation No. 188 for the particular article. It also means that you must give the notice referred to above even though you have previously given a similar notice to the Office of Price Administration which referred to adjustment of all your maximum prices by no more than 5%.

This amendment shall become effective on the 28th day of October 1946.

NOTE: The reporting and record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendment No. 5 to Order No. 4800 Under § 1499.159b of Maximum Price Regulation No. 188

The accompanying amendment to Order No. 4800 under Section 1499.159b of Maximum Price Regulation No. 188 makes several changes in the provisions of that Order which affect manufacturers' prices for upholstered furniture.

There are two principal changes: (1) the method of determining adjustment charges to which a manufacturer may be entitled is altered, and (2) the percentage adjustment charges are revised downwards.

Order No. 4800 formerly provided for varying percentages by which manufacturers of articles of upholstered furniture belonging in any of the categories listed in Appendix C could increase their maximum prices of those items. The particular percentage adjustment authorized was determined on the basis of cut-off points which divided the manufacturer's 1942 price line into low, medium and high price brackets. Those cut-off points were determined on a basis which took into consideration his prices both in "base grade" fabric and in "category grade" fabric. The accompanying amendment eliminates the determination of the price brackets by the use of the maximum prices of an article in grades of cover fabric other than "base grade" fabric. Cut-off points for a category will thus be determined solely on the basis of the manufacturer's 1942 price line in terms of the maximum prices of the articles when covered with "base grade" fabric. The percentage adjustment which is authorized for an article in any grade of cover fabric will be the same which is authorized for the article when covered with "base grade" fabric.

Similar changes are also made in those provisions of Order No. 4800 which set forth the rules for the adjustment of the maximum prices of articles in a category which the manufacturer introduced after March 1942 and before December 28, 1945, and also where a manufacturer had only two listings or one listing in a given March 1942 category.

The second major change is a reduction of the varying percentage adjustments from 12, 9, and 5 percent to 10, 8, and 4 percent respectively for low, medium and high bracket articles. This action is taken in order to offset to some degree the increase in the level of upholstered furniture prices which would otherwise result from the change in the technique of computing adjustments as described above, and also from the revocation of Order No. 4992 under Maximum Price Regulation No. 188 which is being issued simultaneously with the accompanying amendment.

Since the result of the accompanying amendment is to authorize low bracket and medium bracket percentage adjustments solely on the basis of the maximum prices of articles in their "base grade" cover fabrics or an equivalent cost grade of cover fabric, many articles, which had formerly been excluded from those percentage adjustments because their maximum prices in higher cost fabrics were above the applicable cut-off points, are now eligible for those adjustments.

The revocation of Order No. 4992 will also raise the general level of prices of upholstered furniture since that order generally precluded a manufacturer from increasing his maximum prices by more than the dollar and cents increases in the costs of cover fabrics. The revocation of Order No. 4992 permits a manufacturer who would not otherwise have been able to do so, to take a percentage markup on such increased costs, subject to the limitations set forth in Order No. 5262 under Maximum Price Regulation No. 188.

The net effect on the level of prices of upholstered furniture as a result of the increases permitted by the actions described above cannot be determined with exactness. However, after examining all known factors and after consultation with representative furniture manufacturers and with members of the Industry Advisory Committee, the reduction in the percentage adjustments authorized by Order No. 4800 will, in the judgment of the Administrator, approximately offset the increases mentioned above.

The reporting provisions of section 9 (a) of Order No. 4800 are changed by the accompanying amendment insofar as they apply to manufacturers of "upholstered" furniture. That section had formerly provided that a manufacturer who adjusted all of his maximum prices by no more than 5% could avoid the detailed reporting required by section 9 (b) of Order No. 4800, if he notified the Office of Price Administration that his adjustments did not exceed 5% and if he had previously filed a report under Order No. 1052 under Maximum Price Regulation No. 188. If he could not satisfy the latter condition he was required to report items (1) (2) and (7) under section 9 (b) of Order No. 4800.

Insofar as possible this simplified method of reporting had been retained. However, the revision which is accomplished by the accompanying amendment of the 5% adjustment charge to 4% in the case of "upholstered" furniture has necessitated a corresponding alteration of the notification to the Office of Price Administration. Further, the revocation of Order No. 4992 referred to above has emphasized the fact that the maximum prices of many articles of "upholstered" furniture may be changed from those reported under the provisions of Order No. 1052. Provision had to be made to obtain current information.

Accordingly, the accompanying amendment although continuing the reporting provisions of section 9 (a) with regard to "all-wood" furniture makes special provision in the case of "upholstered" furniture. It requires a manufacturer of those articles for which he is adjusting his maximum prices by no more than 4% to notify the Office of Price Administration to that effect, and also requires him to report items (1) (2) and (7) for each of his articles without regard to the fact that he may have previously reported for some of his articles under Order No. 1052 under Maximum Price Regulation No. 188.

The reporting provisions of section 9 (a) are also changed by the accompanying amendment so as to specifically direct the manufacturer who reports under that section to keep the information filed current. The same requirement has been made specific with regard to section 9 (b) by a previous amendment to that section.

It follows from the changes described above that virtually every manufacturer of upholstered furniture who adjusts his maximum prices under Order No. 4800 as revised by the accompanying amendment must either amend an already filed report or file a new notification, or do both. Order No. 5261 under Maximum Price Regulation No. 188 which is being issued simultaneously with the accompanying amendment makes this requirement specific by revoking all prior adjustments granted under Order No. 4800.

Manufacturers of upholstered furniture who are under section 9 (a) of Order No. 4800 must file a new notification to the Office of Price Administration, and also report on items (1) (2) and (7) under section 9 (b) for each of their articles or if the latter report has been made as to some of their articles, they must amend those reports to reflect current facts.

Manufacturers of upholstered furniture under section 9 (b) of Order No. 4800 must either file the report required by that section or amend previous reports to reflect current facts.

All provisions of this order and their effect upon business practices, cost practices, or methods or means or aids to distribution in the industry have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry have been included in the order unless such provisions have been found necessary to

achieve effective price control and to prevent circumvention or evasion of the accompanying amendment or of the act. To the extent that the provisions of this amendment compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry, such provisions are necessary to prevent circumvention or evasion of this amendment or of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-19642; Filed, Oct. 28, 1946; 11:43 a. m.]

[MPR 188, Revocation of Rev. Order 4992]

UPHOLSTERED FURNITURE COVERED WITH CERTAIN FABRICS

DETERMINATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188, *It is ordered*, That Revised Order No. 4992 under § 1499.159b be and hereby is revoked.

This revocation shall become effective on the 28th day of October 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Revocation of Revised Order No. 4992 Under Maximum Price Regulation No. 188

Revised Order No. 4992 under Maximum Price Regulation No. 188 was issued on June 7, 1946 to provide methods by which manufacturers of household furniture could determine maximum prices for articles to which they applied cover fabrics whose maximum prices had been increased under the provisions of Supplementary Order No. 131. The methods set forth effected, in general, a dollar and cent pass-through of the increases in fabric prices permitted under Supplementary Order No. 131.

Since the passage of the Emergency Price Control Extension Act of 1946 it appears that, in accordance with the terms of that act, the maximum prices of cover fabrics will be revised at periodic and frequent intervals. Correspondingly, frequent amendments of Revised Order No. 4992 would also be required in order to preserve the dollar and cent pass-through of increased fabric costs which was the purpose of Revised Order No. 4992.

It does not appear that the limitations on manufacturers' prices which was effected by Revised Order No. 4992 outweigh the administrative difficulties of frequent revision of Revised Order No. 4992. Accordingly the accompanying order revokes Order No. 4992 and manufacturers who have heretofore been subject to its provisions will determine their maximum prices in accordance with their customary or established techniques subject only to the modifications of Order No. 5262 under Maximum Price Regulation No. 188 which is being issued concurrently with the revocation of Revised Order No. 4992.

[F. R. Doc. 46-19664; Filed, Oct. 28, 1946; 11:49 a. m.]

[MPR 188, Order 5261]

UPHOLSTERED FURNITURE

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) *Purpose of this order.* Order 4800 under Maximum Price Regulation No. 188 authorized certain adjustments in the maximum prices of manufacturers of upholstered furniture. Amendment 5 to Order 4800 revised the adjustments theretofore granted in those maximum prices. This order is intended to implement the revisions made by Amendment 5 to Order 4800 by revoking all inconsistent prior adjustments and requiring a manufacturer of upholstered furniture to recompute the adjustments of his maximum prices in accordance with the changed provisions of Order 4800.

(b) This order applies to you if you are a manufacturer of upholstered furniture (as defined in Order 4800 under Maximum Price Regulation No. 188) who has heretofore been authorized to sell articles of upholstered furniture which you manufacture at a maximum price increased by the adjustments provided by Order 1052 under Maximum Price Regulation No. 188 or Order 4800 under Maximum Price Regulation No. 188.

(c) Regardless of any provision of Order 1052 or 4800 under Maximum Price Regulation No. 188 or any approvals issued thereunder, all adjustments in your maximum prices which have been authorized under those orders (excepting such adjustments in your maximum prices as may have been granted by an individual order under those orders) are hereby revoked as to all articles which you sell or deliver on or after December 1, 1946. If, however, before that date you have complied with the applicable reporting provisions of section 9 of Order 4800 under Maximum Price Regulation No. 188 you may sell or deliver your articles at maximum prices adjusted as authorized by Order 4800 under Maximum Price Regulation No. 188 as amended by Amendment 5 thereto and any further amendments subsequently issued. This means that if you wish to sell your articles at a maximum price adjusted by an amount other than that authorized by a specific individual order, you must recompute your adjustments of your maximum prices. Further, you must comply with the reporting provisions of section 9 of Order 4800 which, among other requirements, directs that your report under that section be kept current.

This order shall become effective on the 28th day of October 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order No. 5261 Under § 1499.159 of Maximum Price Regulation No. 188

Simultaneously with the issuance of the accompanying order, Amendment 5 to Order 4800 under Maximum Price

Regulation No. 188 is being issued. Amendment 5 changes the method and revises the percentage amount of adjustments in the maximum prices of upholstered furniture. The accompanying order implements those changes by revoking all prior inconsistent adjustment charges to which manufacturers of upholstered furniture had theretofore been entitled. However, it also directs the attention of such manufacturers to the altered adjustment charges which are authorized under the amended provisions of Order 4800, and to the reporting provisions of that order. In all cases where the manufacturer has previously reported under section 9 (b) he need only amend his report to reflect the changes necessitated by the amendment of Order 4800 or any other changes which may have occurred. This is in accordance with the requirement of section 9 (b) of Order 4800 that he keep current his report under Order 4800.

[F. R. Doc. 46-19666; Filed, Oct. 28, 1946; 11:49 a. m.]

[MPR 188, Order 5262]

FURNITURE MANUFACTURERS USING COVER GRADING SYSTEMS

PERMISSIBLE COVER FABRIC COSTS

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.159b of Maximum Price Regulation No. 188, it is ordered:

(a) This order covers articles of household furniture (as defined in Order No. 4800 under Maximum Price Regulation No. 188) to which the manufacturer of such articles applies cover fabrics. It applies to manufacturers who determine the maximum prices of articles covered by this order on the basis of a cover grade system based upon the cost of their cover fabrics.

(b) Manufacturers under this order who purchase a particular cover fabric from a mill or mill converter shall use as their cost of cover fabric their actual invoice cost not in excess of the current legal mill or mill converter ceiling price for sales of the particular cover fabric to the manufacturer.

(c) Manufacturers under this order who purchase a particular cover fabric from a jobber or jobber converter shall use as their cost of cover fabric the actual invoice cost of the particular cover fabric (not in excess of the legal ceiling price) as it appears on his purchase invoice:

(1) If in March 1942 the manufacturer graded less than 75% of his total yardage of cover fabrics on the basis of mill or mill converter prices to him.

(2) If the particular cover fabric is an imported or highly decorative fabric.

This order shall become effective on the 28th day of October 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order No. 5262 Under Maximum Price Regulation No. 188

Coincidentally with the issuance of the accompanying order, Revised Order No. 4992 is being revoked. The accompanying order is issued to preserve the method set forth in Revised Order No. 4992 for use by manufacturers of household furniture in grading fabrics which they apply to their articles. The considerations set forth in the opinion accompanying Revised Order No. 4992 in this regard are therefore referred to and incorporated herein by reference.

Further changes made in the former method are of a minor nature and for purposes of clarification.

[F. R. Doc. 46-19665; Filed, Oct. 28, 1946; 11:49 a. m.]

[MPR 594, Amdt. 5 to Rev. Order 19]

GENERAL MOTORS CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 8 of Maximum Price Regulation 594: *It is ordered:*

Revised Order 19 under Maximum Price Regulation 594 is amended by adding the following items of extra or optional equipment and special paint groups and their respective maximum prices to the schedule in subparagraph (3) (i) of paragraph (a).

Description	Wholesale price to—		List price
	Distributor	Dealer and associate dealer	
Right hand drive.....	\$31.11	\$31.11	\$31.11
Export head lamps.....	.07	.07	.07
Grease gun.....	.24	.24	.24
Standard taxicab group (46-25 torpedo-6 consisting of heavy duty front and rear springs and covers, clutch housing, flywheel, clutch, air cleaner, distributor, transmission, carburetor, heavy duty wheels and convertible frame.....	23.00	23.00	23.00
Standard taxicab group (46-26 Streamliner-6 consisting of heavy duty front and rear springs and covers, clutch housing flywheel, clutch, air cleaner, distributor, transmission, carburetor and heavy duty wheels.....	10.00	10.00	10.00
<i>Special paint groups *</i>			
Bodies painted in white or ivory or a two color combination one color of which is white or ivory.....	12.45	12.45	12.45
Bodies painted in two color combination (except white or ivory) neither of which is black; stripes to be in standard location and size: Quantity—1 to 4.....	9.35	9.35	9.35
Quantity—5 or more.....	6.20	6.20	6.20
Bodies painted in two color combination (except white or ivory) of which one color is black; stripes to be in standard location and size: Quantity—1 to 4.....	6.20	6.20	6.20
Quantity—5 or more.....	3.10	3.10	3.10
Bodies painted in solid color (except white or ivory) not specified for in current production, stripe in standard location and size: Quantity—1 to 4.....	3.10	3.10	3.10
Quantity—5 or more.....	(1)	(1)	(1)

* No charge.

This amendment shall become effective October 29, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendments to Revised Orders under Maximum Price Regulation 594: Amendment 5 to Revised Order No. 19; Amendment 4 to Revised Order No. 20; Amendment 5 to Revised Order No. 21; and Amendment 3 to Revised Order No. 22

The General Motors Corporation has applied for maximum prices for certain items of extra or optional equipment to be furnished with its Buick, Cadillac, Oldsmobile and Pontiac automobiles sold for export. It has also stated that these items are sometimes furnished domestic purchasers and requested that the prices established apply to such purchasers also. In addition, the Company has also requested that maximum prices be established for certain special paint options and standard taxicab equipment for its Pontiac automobile.

The prices requested by the Company have been computed in the same manner and on the same basis as all other items of extra or optional equipment for these automobiles were priced under Revised Orders 19 through 22. They are therefore, established by the amendments accompanying this opinion. Insofar as the opinions accompanying Revised Orders No. 19 through 22 are applicable to this action they are made a part hereof.

[F. R. Doc. 46-19656; Filed, Oct. 28, 1946; 11:47 a. m.]

[MPR 594, Amdt. 4 to Rev. Order 20]

GENERAL MOTORS CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 8 of Maximum Price Regulation 594; *It is ordered:*

The schedule following paragraph (a) (3) (i) of Revised Order No. 20 under Maximum Price Regulation 594 is amended by adding the following items of extra or optional equipment and their respective maximum prices.

Description	Wholesale price to—		List price
	Distributor	Direct dealer and associate dealer	
Right hand drive 40 series SUP.	\$59.92	\$59.92	\$59.92
Right hand drive 40 series CKD.	47.42	47.42	47.42
Right hand drive 50 series SUP.	59.92	59.92	59.92
Right hand drive 50 series CKD.	49.12	49.12	49.12
Right hand drive 70 series SUP.	119.84	119.84	119.84
Right hand drive 70 series CKD.	97.36	97.36	97.36
Export head lamps, 17 plate battery, tool kit, grease gun, hand tire pump and high type springs.	1.44	1.44	1.44

This amendment shall become effective October 29, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendments to Revised Orders under Maximum Price Regulation 594: Amendment 5 to Revised Order No. 19; Amendment 4 to Revised Order No. 20; Amendment 5 to Revised Order No. 21 and Amendment 3 to Revised Order No. 22

The General Motors Corporation has applied for maximum prices for certain items of extra or optional equipment to be furnished with its Buick, Cadillac, Oldsmobile and Pontiac automobiles sold for export. It has also stated that these items are sometimes furnished domestic purchasers and requested that the prices established apply to such purchasers also. In addition, the Company has also requested that maximum prices be established for certain special paint options and standard taxicab equipment for its Pontiac automobile.

The prices requested by the Company have been computed in the same manner and on the same basis as all other items of extra or optional equipment for these automobiles were priced under Revised Orders 19 through 22. They are therefore, established by the amendments accompanying this opinion. Insofar as the opinions accompanying Revised Orders No. 19 through 22 are applicable to this action they are made a part hereof.

[F. R. Doc. 46-19658; Filed, Oct. 28, 1946; 11:47 a. m.]

[MPR 594, Amdt. 6 to Rev. Order 21]

GENERAL MOTORS CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 8 of Maximum Price Regulation 594; *It is ordered:*

Revised Order No. 23 under Maximum Price Regulation 594 is amended in the following respects:

1. The following new automobile and its maximum list price is added to the schedule in subparagraph (1) of paragraph (a).

Series	Description	List price
66.....	Station wagon.....	\$1835

2. The following charge for E. O. H. is added for the "Series 66 Station wagon" to the schedule of "E. O. H. for automobiles" in subparagraph (3) (ii) of paragraph (a).

Description:	Charge
Series 66 Station Wagon.....	\$105

This amendment shall become effective October 28, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendment 6 to Revised Order No. 21 under Maximum Price Regulation 594

The General Motors Corporation has applied for a maximum price for its Oldsmobile Series 66 Station Wagon. The accompanying amendment to Revised

Order No. 23 under Maximum Price Regulation 594 establishes the maximum price for this automobile. The price so established was computed in the same manner and on the same basis that the other Oldsmobile cars manufactured and sold by the General Motors Corporation were priced under Revised Order No. 21. The opinions accompanying such Revised Order No. 21 and amendments thereto, insofar as they are applicable to the action are made a part hereof.

[F. R. Doc. 46-19663; Filed, Oct. 28, 1946; 11:48 a. m.]

[MPR 594, Amdt. 5 to Rev. Order 21]

GENERAL MOTORS CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 8 of Maximum Price Regulation 594; *It is ordered:*

Revised Order No. 21 under Maximum Price Regulation 594 is amended by adding the following items of extra or optional equipment and their respective maximum prices to the schedule following subparagraph (3) (i) of paragraph (a):

Description	Wholesale price to—		List price
	Distributor	Key point dealer, dealer, and associate dealer	
Right hand drive 66 series.....	\$24.89	\$24.89	\$24.89
Right hand drive 76 series.....	37.34	37.34	37.34
Export tool kit.....	.65	.65	.65
Grease gun.....	.26	.26	.26
H. D. Springs 66 Sedan.....	.47	.47	.47
H. D. Springs 76-78 Sedan.....	.06	.06	.06

This amendment shall become effective October 29, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendments to Revised Orders Under Maximum Price Regulation 594: Amendment 5 to Revised Order No. 19; Amendment 4 to Revised Order No. 20; Amendment 5 to Revised Order No. 21 and Amendment 3 to Revised Order No. 22

The General Motors Corporation has applied for maximum prices for certain items of extra or optional equipment to be furnished with its Buick, Cadillac, Oldsmobile and Pontiac automobiles sold for export. It has also stated that these items are sometimes furnished domestic purchasers and requested that the prices established apply to such purchasers also. In addition, the Company has also requested that maximum prices be established for certain special paint options and standard taxicab equipment for its Pontiac automobile.

The prices requested by the Company have been computed in the same manner and on the same basis as all other items of extra or optional equipment for these

automobiles were priced under Revised Orders 19 through 22. They are therefore established by the Amendments accompanying this opinion. Insofar as the opinions accompanying Revised Orders No. 19 through 22 are applicable to this action they are made a part hereof.

[F. R. Doc. 46-19643; Filed, Oct. 28, 1946; 11:43 a. m.]

[MPR 594, Amdt. 3 to Rev. Order 22]
GENERAL MOTORS CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 8 of Maximum Price Regulation 594; *It is ordered:*

Revised Order No. 22 under Maximum Price Regulation 594 is amended by adding the following items of extra or optional equipment and their respective maximum prices to the schedule following subparagraph (3) (i) of paragraph (a):

Description	Wholesale prices to—		List price	E. O. H. charge
	Dealer	Distributor		
Grease gun.....	\$0.44	\$0.44	\$0.44	\$0.03
Low compression head.....	1.24	1.24	1.24	.09
Instruction book.....	.19	.19	.19	.01

This amendment shall become effective October 29, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Amendments to Revised Orders under Maximum Price Regulation 594: Amendment 5 to Revised Order No. 19; Amendment 4 to Revised Order No. 20; Amendment 5 to Revised Order No. 12 and Amendment 3 to Revised Order No. 22

The General Motors Corporation has applied for maximum prices for certain items of extra or optional equipment to be furnished with its Buick, Cadillac, Oldsmobile, and Pontiac automobiles sold for export. It has also stated that these items are sometimes furnished domestic purchasers and requested that the prices established apply to such purchasers also. In addition, the Company has also requested that maximum prices be established for certain special paint options and standard taxicab equipment for its Pontiac automobile.

The prices requested by the Company have been computed in the same manner and on the same basis as all other items of extra or optional equipment for these automobiles were priced under Revised Orders 19 through 22. They are, therefore, established by the amendments accompanying this opinion. Insofar as the opinions accompanying Revised Orders No. 19 through 22 are applicable to this action they are made a part hereof.

[F. R. Doc. 46-19646; Filed, Oct. 28, 1946; 11:44 a. m.]

[MPR 188, Order 5260]

ANGELES PLASTIC INDUSTRIES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Angeles Plastic Industries, 4512 South Western Avenue, Los Angeles 38, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
22" wood and plastic table lamp with decorated plastic shade.	5001.....	Each \$6.33	Each \$7.60	Each \$13.50

These maximum prices are for the articles described in the manufacturer's application dated August 23, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Los Angeles, 2% 10 days, net 30. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Selling Price \$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 29th day of October 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order No. 5260 Under § 1499.158 of Maximum Price Regulation No. 188

By application dated August 23, 1946, Angeles Plastic Industries, 4512 South Western Avenue, Los Angeles 38, California, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-19443; Filed, Oct. 28, 1946; 8:55 a. m.]

[MPR 120, Order 1769]

BITUMINOUS COAL IN DISTRICT 1

CONSOLIDATION OF ADJUSTMENTS FOR INDIVIDUAL MINES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with § 1340.207 (a) of Maximum Price Regulation No. 120; *It is ordered:*

(1) The following maximum prices in cents per net ton are established for the indicated size group and according to the method of shipment of bituminous coal from the mines indicated by index numbers and names, all of which are in District No. 1.

Mine Index No.	Mine name	Sub-district No.	Type of operation	Maximum prices by size group Nos. 1, 2, 3, 4, 5, the rail or river shipping point for all rail or river shipments excluding railroad locomotive fuel					Maximum prices by size group Nos. 1, 2, 3, 4, 5, the mine or preparation plant for ship-ments made entirely by truck or wagon					Smithing coal by all meth-ods of transpor-tation	Number of orders under M. P. R. 120 in which the originally granted and revoked in this order	Effective date of adjustment order	
				1	2	3	4	5	1	2	3	4	5				
7	Alex No. 1	36	Deep	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	May 30, 1945
15	Apple No. 2	18	do	429	429	429	429	429	(1)	(1)	(1)	(1)	(1)	429	429	429	Feb. 16, 1945
22	Bacon No. 4	38	do	517	517	517	517	517	(1)	(1)	(1)	(1)	(1)	517	517	517	Do.
38	Bennington "B"	27	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
54	Red Larks No. 11	16	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
67	Black Oak No. 5	19	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
76	Brookwood Shaft	21	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
10	Cardogon No. 2	10	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
81	Cambras Smokeless	18	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
82	Cambras No. 1	18	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
103	Commercial No. 5	26	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
122	Corright No. 1	34	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
127	Corright No. 42	45	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
133	Delta No. 2	16	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
150	Elma No. 1	37	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
151	Elma No. 2	37	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
152	Elma No. 3	37	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
164	Elma No. 1	30	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
171	Elma No. 3	41	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
176	Elma No. 2	27	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
184	Elma No. 1	44	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
193	Elma No. 1	44	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
196	Elma No. 1	44	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
198	Elma No. 1	44	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
202	Elma No. 1	9	Deep and strip	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
205	Elma No. 1	17	Deep	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
205	Elma No. 1	26	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
208	Elma No. 1	34	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
213	Elma No. 1	36	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
217	Elma No. 1	31	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
219	Elma No. 1	31	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
224	Elma No. 1	13	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
225	Elma No. 1	13	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
229	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
230	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462	462	(1)	(1)	(1)	(1)	(1)	462	462	462	Do.
233	Elma No. 1	32	do	462	462	462	462										

Mine Index No.	Mine name	Sub-district No.	Type of operation	Maximum prices by size group Nos. 1, 2, 3, 4, 5, the rail or river shipping point for all rail or river shipments excluding railroad locomotive fuel					Maximum prices by size group Nos. 1, 2, 3, 4, 5, the mine or preparation plant for ship-ments made entirely by truck or wagon					Smithing coal by all meth-ods of transpor-tation	Number of orders under M. P. R. 120 in which the exception was originally granted and revoked in this order	Effective date of adjustment order
				1	2	3	4	5	1	2	3	4	5			
455	Seymore	3	Deep and strip	422	460	402	377	430	412	412	410	410	387	1289	1289	Feb. 16, 1946
463	Shaw Big Vein No. 1	41	Deep	422	422	410	377	377	412	412	410	410	387	1289	1289	Do.
464	Shaw Big Vein No. 2	41	Deep	422	422	410	377	377	412	412	410	410	387	1289	1289	Do.
466	No. 5	2	do	442	442	422	407	397	()	()	()	()	()	L-564	L-564	Jan. 31, 1946
467	No. 42	2	do	442	442	422	407	397	()	()	()	()	()	L-564	L-564	Do.
473	Smokeless No. 4	30	do	467	457	457	437	437	()	()	()	()	()	L-569	L-569	Mar. 11, 1946
474	Souman No. 2	31	do	550	550	535	535	535	()	()	()	()	()	L-563	L-563	Aug. 26, 1946
475	Souman Shaft	31	do	502	487	477	462	447	()	()	()	()	()	L-563	L-563	Jan. 21, 1946
485	Stineman No. 1	30	do	495	495	485	442	442	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
487	Stineman No. 2	30	do	495	495	485	442	442	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
488	Stineman No. 4	30	do	605	605	605	500	485	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
491	Pontefigh Smokeless No. 1	41	do	365	365	358	340	340	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
493	Superior No. 1	14	Strip	437	437	422	412	412	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
520	Victor Hill	18	Deep	457	457	457	457	457	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
522	Victor No. 9	24	do	457	457	457	457	457	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
528	Vinton No. 1	26	do	422	422	410	410	410	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
536	Waterman No. 1	23	Deep and strip	422	422	410	410	410	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
546	Wolf Den	44	Deep	422	422	410	410	410	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
567	Superior No. 1 & 3	12	do	435	435	435	378	378	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
568	Swanton No. 2	43	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
572	Antrim	3	Strip	515	515	515	445	440	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
608	Maple Ridge No. 2	32	Deep	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
735	Eddy No. 2	44	do	455	455	455	410	410	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
841	No. 1 Bloss Drift	3	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
877	Hastings No. 2	17	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
896	Manor No. 3	44	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
956	Lilly	27	do	432	432	410	410	410	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
1209	Will No. 2	36	do	432	432	410	410	410	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
1324	Russell No. 4	27	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
1339	Cushing	3	do	537	537	502	477	462	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
1546	Cambria No. 1	39	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
1715	Maryland Union No. 1	43	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
1830	Patterson	44	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
2110	Stone Bridge No. 1	27	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
2111	Stony River	44	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
2218	Mount Alto	44	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
2315	Will No. 1	36	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
2316	Glenn No. 1	14	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
2328	Indiana No. 1	42	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
2332	Westville No. 4	6	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
2826	Carroll	15	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
3203	Bedford No. 3	32	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
3315	Earl No. 2	32	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
3751	Stineman No. 3	30	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
3820	Victory	43	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
3973	Hays No. 1	32	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
5097	Parker No. 2	43	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
5300	Widmore	11	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
5392	Cathy No. 2-B	39	Strip	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
5393	Cathy No. 2-F	39	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
5541	Beatty	15	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
5542	Sarnosky No. 1	15	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
5543	Barkley	15	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
5545	Barker & Hill	15	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
5546	Wissinger	15	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
5605	Hell's Half Acre	4	do	470	470	460	450	450	()	()	()	()	()	L-561	L-561	Mar. 6, 1946
5779	Hysotia No. 4	32	Strip	380	360	360	340	340	()	()	()	()	()	L-561	L-561	Mar. 6, 1946

Same as rail.

Void after Dec. 15, 1946.

When mixed with coals from Jerome No. 1 and No. 2 Mines for by-product use.

Void after Nov. 16, 1946.

When sold to Mono, Conn. R. R. Co.

Void after Mar. 4, 1947.

When sold to Western Maryland R. R.

(2) The maximum prices established herein are f. o. b. the mine or preparation plant for truck or wagon shipments, f. o. b. the rail or river shipping point for rail or river shipments, and f. o. b. the rail shipping point for railroad fuel for all uses.

(3) The description of size group numbers in paragraph (1) above are the same as those referred to in § 1340.212 Appendix A of Maximum Price Regulation No. 120.

(4) Where no maximum price appears in this order for a certain size or method of shipment of coal, the maximum price provided for District No. 1 shall apply.

(5) The maximum prices established for mines granted adjustments by the orders under maximum price regulation No. 120 which are listed by number in paragraph (1) above are hereby revoked.

(6) This order may be revoked or amended by the Price Administrator at any time.

(7) Except as is specifically provided in this order, the provisions of maximum price regulation No. 120 covering the sale of bituminous coal shall remain in effect.

(8) The applicant shall include a statement on all invoices if connection with the sales of coals priced under this order that the price charged includes an adjustment granted by order No. 1769 under Maximum Price Regulation No. 120 of the Office of Price Administration.

This order shall become effective November 2, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order 1769 Under Maximum Price Regulation 120

It appears that a consolidation of orders of adjustment of the maximum prices for coals produced in District No. 1 issued under § 1340.207 (a) of Maximum Price Regulation No. 120 would facilitate administration and be more convenient to the bituminous coal industry. Therefore, this is effected by the

PETE REBUCK, 2207 WYTHE AVE., BLUEFIELD, W. VA., REBUCK NO. 2 MINE, POCAHONTAS NO. 6 SEAM, MINE INDEX NO. 1120, McDOWELL COUNTY, W. VA., SUBDISTRICT 3, RAIL SHIPPING POINT: McDOWELL, W. VA., DEEP MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification.....	D	D	C	A	A	B	B	D	D	---
Rail shipment.....	468	478	488	443	433	468	438	398	393	---
Truck shipment.....	553	473	503	438	423	418	---	---	---	---

PETE REBUCK, 2207 WYTHE AVE., BLUEFIELD, W. VA., REBUCK NO. 3 MINE, POCAHONTAS NO. 3 SEAM, MINE INDEX NO. 1121, McDOWELL COUNTY, W. VA., SUBDISTRICT 3, RAIL SHIPPING POINT: McDOWELL, W. VA., DEEP MINE

	B	B	A	A	A	B	B	D	D	---
Price classification.....	453	493	498	443	433	468	438	398	393	---
Rail shipment.....	553	473	503	438	423	418	---	---	---	---
Truck shipment.....	---	---	---	---	---	---	---	---	---	---

Railroad locomotive fuel: For the following mine index Nos. 1120, 1121:

Any single-screened lump or double-screened coals.....	453
Run of mine.....	438
Screenings, larger than 1 1/4" x 0 but not exceeding 2 1/4" x 0.....	423
Screenings 1 1/4" x 0 and smaller.....	398

This order shall become effective October 29, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

issuance of the accompanying order, which revokes all orders granting individual adjustments of the maximum prices for coals produced in District No. 1 and simultaneously consolidates and reissues such adjustments.

[F. R. Doc. 46-19463; Filed, Oct. 28, 1946; 8:48 a. m.]

[MPR 120, Order 1771]

PETE REBUCK

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 7. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.218 and all other provisions of Maximum Price Regulation No. 120.

dex numbers to mines in District No. 7 which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with § 1340.210 (a) (6) of the Regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the same or substantially similar seams. Generally the producer requests the prices and classifications he deems proper.

This application was then submitted to the industry advisory committee for District No. 7. The prices and classifications established are those recommended by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

[F. R. Doc. 46-19456; Filed, Oct. 28, 1946; 8:45 a. m.]

[Rev. SO 119, Order 352]

SPRINGFIELD METALLIC CASKET CO., INC.

ADJUSTMENT OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to sections 15 and 16 of Revised Supplementary Order No. 119, it is ordered:

(a) *Manufacturer's ceiling prices.* The Springfield Metallic Casket Company, Inc., of Springfield, Ohio, may sell and deliver the metal burial caskets which it manufactures at prices computed as follows:

(1) For an article in his line during October 1941, the adjusted ceiling price is the highest price charged during that month to each class of purchaser, plus an adjustment charge of no more than 11.8 per cent of each such price.

(2) For an article not in his line during October 1941, but which has a properly established ceiling price, the article's properly established ceiling price for the particular sale (exclusive of all permitted increases or adjustment charges) plus an adjustment charge equal to the percentage of that price determined in accordance with Note 3 in section 8 of Revised Supplementary Order No. 119.

(3) The manufacturer's price computed in accordance with this order is his new ceiling price if it is higher than the previously established ceiling price, including all increases and adjustments otherwise authorized for him individually or for his industry.

(b) *Reseller's ceiling prices.* Resellers of an article which the manufacturer has sold at an adjusted ceiling price determined under this order shall determine their maximum prices as follows:

A reseller who determines his maximum resale price under the General Maximum Price Regulation shall calculate his ceiling price by adding to his invoice cost the same percentage markup which he has on the "most comparable article" for which he has a properly established ceiling price. For this purpose the "most comparable article" is the one which meets all of the following tests:

(1) It belongs to the narrowest trade category which includes the article being priced.

(2) Both it and the article being priced were purchased from the same class of supplier.

(3) Both it and the article being priced belong to a class of articles to which, according to customary trade practices, an approximately uniform percentage markup is applied.

(4) Its net replacement cost is nearest to the net cost of the article being priced.

The determination of a ceiling price in this way need not be reported to the Office of Price Administration; however, each seller must keep complete records showing all the information called for by OPA Form 620-759 with regard to how he determined his ceiling price, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

If the maximum resale price cannot be determined under the above method the reseller shall apply to the Office of Price Administration for the establishment of a ceiling price under § 1499.3 (c) of the General Maximum Price Regulation. Ceiling prices established under that section will reflect the supplier's prices as adjusted in accordance with this order.

(c) *Terms of sale.* Ceiling prices adjusted by this order are subject to each seller's terms, discounts and allowances on sales to each class of purchaser in effect during March, 1942, or thereafter properly established under OPA regulations.

(d) *Notification.* At the time of or prior to the first invoice to a purchaser for resale on and after the effective date of this order, showing prices adjusted in accordance with this order, the seller shall notify the purchaser in writing of the method established in paragraph (b) of this order for determining adjusted maximum prices for resale of the articles. This notice may be given in any convenient form.

(e) The provisions of Supplementary Order No. 153 shall not apply to resellers' sales of the articles covered by this order.

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) This order shall become effective on the 29th day of October, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order No. 352
Under Revised Supplementary Order
No. 119

The accompanying order is issued under Revised Supplementary Order No. 119 pursuant to an application filed by The Springfield Metallic Casket Company, Inc., of Springfield, Ohio, hereinafter referred to as the applicant. Since the articles covered by this order, metal caskets, are listed as reconversion products in Appendix A of Revised Supplementary Order 119, the applicant is a

No. 211—7

reconverting manufacturer under the provisions of that revised order.

The procedures set forth in sections 7 and 8 of Revised Supplementary Order 119 have been followed, and a price increase factor to be used by the applicant to determine its adjusted ceiling prices for the product line has been determined in accordance with the provisions of that revised order. The adjustment granted by the accompanying order is in an amount which will increase the manufacturer's maximum prices so as to permit a realization of total costs to make and sell the articles covered by the order, pursuant to the provisions of Amendment 16 to Revised Supplementary Order No. 119.

The accompanying order, in accordance with the policy of this Office in cases of adjustments granted individual manufacturers, permits purchasers for resale of the articles which the manufacturer sells at adjusted prices, to pass on to their purchasers the increases permitted the manufacturer.

The order also contains a provision whereby sellers to purchasers for resale are required to notify those purchasers of the method established by the accompanying order for determining adjusted resale maximum prices. Such a notification will avoid any misunderstanding on the part of purchasers for resale as to the permitted increases in their maximum prices.

[F. R. Doc. 46-19445; Filed, Oct. 28, 1946;
8:50 a. m.]

DEPENDABLE COAL CO., R. D. No. 1, WHEELING, W. VA., DEPENDABLE COAL CO. MINE, PITTSBURGH No. 8 SEAM, MINE INDEX No. 1011, OHIO COUNTY, W. VA., RAIL SHIPPING POINT, WHEELING, W. VA., DEEP MINE

	Size group Nos.						
	1, 2	3, 4, 5	6	7, 8	9	10	12
Rail and river shipment and railroad fuel.....	373	348	343	308	348	278	343
Truck shipment.....	428	413	358	333			

OLLETT COAL CO., BOX 311, BRIDGEVILLE, PA., OLLETT MINE, PITTSBURGH SEAM, MINE INDEX No. 1010, BROOKE COUNTY, W. VA., RAIL SHIPPING POINT, LOUISE, W. VA., DEEP MINE

Rail shipment and railroad fuel.....	373	348	343	308	348	278	343
Truck shipment.....	428	413	358	333			

This order shall become effective October 29, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order 1772
Under Maximum Price Regulation
120

The order which this opinion accompanies establishes maximum prices and price classifications and assigns mine index numbers to mines in District No. 6 which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with § 1340.210 (a) (6) of the regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the

[MPR 120, Order 1772]

DEPENDABLE COAL CO. AND OLLETT COAL CO.
ESTABLISHMENT OF MAXIMUM PRICES AND
PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 6. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.217 and all other provisions of Maximum Price Regulation No. 120.

same or substantially similar seams. Generally the producer requests the prices and classifications he deems proper.

This application was then submitted to the industry advisory committee for District No. 6. The prices and classifications established are those recommended by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

[F. R. Doc. 46-19457; Filed, Oct. 28, 1946;
8:45 a. m.]

[MPR 120, Order 1773]

ALBERTA COAL CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND
PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with

§ 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 4. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be

the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.215 and all other provisions of Maximum Price Regulation No. 120.

ALBERTA COAL CO., SEBRING, OHIO, ALBERTA COAL CO. MINE, No. 5 SEAM, MINE INDEX No. 4337, MUSKINGUM COUNTY, OHIO, SUBDISTRICT No. 6 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, WHITE COTTAGE, OHIO

	Size group Nos.												
	1	2	3	3A	4	5	6	7	8	9	10	11	12
Rail shipment and railroad fuel.....	336	336	306	306	306	306	296	256	256	261	221	-----	261
Truck shipment.....	371	371	371	331	331	276	276	241	241	276	-----	-----	276

MICHAEL BERNHARDT, 1832 CLEVELAND AVE. SW., CANTON, OHIO, No. 1 MINE, No. 7 SEAM, MINE INDEX No. 4327, COSHOCTON COUNTY, OHIO, SUBDISTRICT No. 4 FOR RAIL SHIPMENT, No. 48 FOR TRUCK SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, COSHOCTON, OHIO

Rail shipment and railroad fuel.....	336	336	321	321	321	301	261	251	291	246	-----	301
Truck shipment.....	371	371	371	331	331	266	266	241	231	266	-----	266

LLOYD BURNS COAL CO., 744 SECOND ST. NW., NEW PHILADELPHIA, OHIO, LLOYD No. 1 MINE, WAINWRIGHT SEAM, MINE INDEX No. 4335, BELMONT COUNTY, OHIO, SUBDISTRICT 1 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, BARNESVILLE, OHIO

Rail shipment and railroad fuel.....	316	316	296	296	296	281	246	236	271	221	-----	281
Truck shipment.....	361	361	361	321	321	291	291	266	256	291	-----	291

THE BURN RITE COAL CO., NEW WATERFORD, OHIO, BURNRITE COAL CO., No. 1 MINE, No. 6 SEAM, MINE INDEX No. 4324, COLUMBIANA COUNTY, OHIO, SUBDISTRICT No. 4 FOR RAIL SHIPMENT, No. 4C FOR TRUCK SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, NEW WATERFORD, OHIO

Rail shipment and railroad fuel.....	336	336	321	321	321	301	261	251	291	246	-----	301
Truck shipment.....	386	386	386	346	346	316	316	281	271	316	-----	316

WILLIAM CUSTER, KENSINGTON, OHIO, CUSTER MINE, No. 6 SEAM, MINE INDEX No. 4325, CARROLL COUNTY, OHIO, SUBDISTRICT No. 4 FOR RAIL SHIPMENT AND RAILROAD FUEL, No. 4A FOR TRUCK SHIPMENT, DEEP MINE, RAIL SHIPPING POINT, KENSINGTON, OHIO

Rail shipment and railroad fuel.....	388	388	373	373	373	353	313	303	343	-----	353
Truck shipment.....	413	413	413	383	383	353	318	308	353	-----	353

J. AND M. MINING CO., 436 OAKLAND BOULEVARD, CAMBRIDGE, OHIO, McCULLOUGH MINE, No. 8 SEAM, MINE INDEX No. 4333, NOBLE COUNTY, OHIO, SUBDISTRICT No. 2 FOR ALL METHODS OF SHIPMENT, DEEP MINE, RAIL SHIPPING POINT, DEXTER, OHIO

Rail shipment and railroad fuel.....	368	368	348	348	348	333	298	288	323	-----	333
Truck shipment.....	423	423	423	383	383	353	328	318	353	-----	353

PORT WASHINGTON COAL CO., P. O. BOX 68, NEW COMERTOWN, OHIO, PORT WASHINGTON No. 2 MINE, No. 6 SEAM, MINE INDEX No. 4330, PERRY COUNTY, OHIO, SUBDISTRICT No. 6 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, MCLUNEY, OHIO

Rail shipment and railroad fuel.....	336	336	306	306	306	296	256	256	261	221	-----	261
Truck shipment.....	371	371	371	331	331	276	276	241	241	276	-----	276

THE PRIMROSE COAL CO., 319 FIRST ST., NEW LEXINGTON, OHIO, PRIMROSE COAL CO. MINE, No. 6 SEAM, MINE INDEX No. 4334, PERRY COUNTY, OHIO, SUBDISTRICT No. 6 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, CROOKSVILLE, OHIO

Rail shipment and railroad fuel.....	336	336	306	306	306	296	256	256	261	221	-----	261
Truck shipment.....	371	371	371	331	331	276	276	241	241	276	-----	276

THE YOUNGSTOWN MINING CO., 512 UNION BANK BLDG., YOUNGSTOWN (3), OHIO, YELLOW CREEK MINE, No. 6 SEAM, MINE INDEX No. 4318, JEFFERSON COUNTY, OHIO, SUBDISTRICT No. 3 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, HAMMONDSVILLE, OHIO

Rail shipment and railroad fuel.....	336	336	321	321	321	301	261	251	291	246	-----	301
Truck shipment.....	361	361	361	321	321	291	291	266	256	291	-----	291

This order shall become effective October 29, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order 1773 Under Maximum Price Regulation 120

The order which this opinion accompanies establishes maximum prices and price classifications and assigns mine index numbers to mines in District No. 4 which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with § 1340.210 (a) (6) of the regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the same or substantially similar seams. Generally the producer requests the prices and classifications he deems proper.

This application was then submitted to the industry advisory committee for District No. 4. The prices and classifications established are those recommended by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

[F. R. Doc. 46-19458; Filed, Oct. 28, 1946; 8:46 a. m.]

[Rev. SO 119, Order 353]

ELECTROMASTER, INC.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 353 under Revised Supplementary Order No. 119. Docket No. 6123-119-189. Electromaster, Inc., Detroit, Michigan.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for Electromaster, Inc., Detroit, Michigan.* (1) The above manufacturer shall determine his maximum prices for his line of electric water heaters by increasing by 19 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who

purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the actual percentage increase in cost resulting from the increase granted the manufacturer by this order.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Order No. 353 under Revised Supplementary Order No. 119 authorizes a 19 percent increase in October 1, 1941 net prices for sales of electric water heaters manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the actual percentage increase in cost resulting from the increase granted by Order No. 353.

(d) All requests for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective October 29, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order 353 Under Revised Supplementary Order 119

The accompanying order under Revised Supplementary Order No. 119 authorizes Electromaster, Inc. of Detroit, Michigan to compute maximum prices for its electric water heaters by adding 19 percent to the company's October 1, 1941 prices for these items. As an alternative, the manufacturer may continue to use as his maximum prices, his properly established maximum prices in effect under Maximum Price Regulation No. 591 in the event that such prices are higher than the adjusted October 1, 1941 prices.

Resellers are permitted to increase their existing maximum prices by the percentage increase in cost to them resulting from the increase granted the manufacturer. Thus, resellers will continue to realize the same percentage margin over acquisition cost that they realized previous to the issuance of the accompanying order.

Electric water heaters have been declared reconversion products under Appendix A of Revised Supplementary Order No. 119.

The applicant, a manufacturer of such products has filed an application and the supporting cost and financial data pursuant to the provisions of Revised Supplementary Order No. 119. Applying the standards for computing adjustments set forth in the revised supplementary order, it is found that the applicant qualifies for an increase of 19 percent over October 1, 1941 prices. Accordingly, the accompanying order authorizes such a price advance. If for any item, however, the properly established maximum price under Maximum Price Regulation No. 591 exceeds the October 1,

1941 price plus the increase factor, the manufacturer may continue to use his heretofore properly established maximum prices.

Controls over the maximum price of some of these products may have been or may be suspended in the future by Supplementary Order No. 129. In that event, the provisions of this order with respect to these items are also suspended during the period of the price control suspension, subject to reinstatement if the former price controls are restored.

After due consideration of the foregoing, the Price Administrator finds that this action is consistent with the Emergency Price Control Act of 1942, as amended, and the Executive orders of the President.

[F. R. Doc. 46-19462; Filed, Oct. 28, 1946; 8:47 a. m.]

[MPR 120, Order 1774]

ALLEGHENY COAL CO. ET AL.
ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

ALLEGHENY COAL CO., 654 MADISON AVE., NEW YORK, N. Y., GANDER MINE, No. 7 SEAM, MINE INDEX No. 4341, GUERNSEY COUNTY, OHIO, SURDISTRICT 2 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, CAMBRIDGE, OHIO

	Size group Nos.												
	1	2	3	3A	4	5	6	7	8	9	10	11	12
Rail shipment and railroad fuel.....	316	316	296	296	296	296	281	246	236	271	221	-----	281
Truck shipment.....	361	361	361	321	321	291	291	266	256	291	-----	-----	291

BLACK BIRD COAL MINES, 1307 WOOSTER AVE., DOVER, OHIO, BLACK BIRD GARRER FARM MINE, No. 5 SEAM, MINE INDEX No. 4328, TUSCARAWAS COUNTY, OHIO, SURDISTRICT 4 FOR RAIL SHIPMENT AND RAILROAD FUEL (4-A FOR TRUCK SHIPMENT), STRIP MINE, RAIL SHIPPING POINT, STRASSBURG, OHIO

Rail shipment and railroad fuel.....	336	336	321	321	321	321	301	261	251	291	246	-----	301
Truck shipment.....	386	386	386	366	366	316	316	311	271	316	-----	-----	316

GRIMM COAL COMPANY, 806 WEST MAIN ST., MOUNT PLEASANT, PA., LEATHERWOOD STRIP MINE, No. 7 SEAM, MINE INDEX No. 4338, GUERNSEY COUNTY, OHIO, SURDISTRICT 2 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, MINERAL, OHIO

Rail shipment and railroad fuel.....	316	316	296	296	296	296	281	246	236	271	221	-----	281
Truck shipment.....	361	361	361	321	321	291	291	266	256	291	-----	-----	291

MCINTYRE CREEK COAL CO., c/o J. DEAN POLEN, AVELLA, PA., MINGO MINE, No. 8 SEAM, MINE INDEX No. 4339, JEFFERSON COUNTY, OHIO, SURDISTRICT 1 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, MINGO, OHIO

Rail shipment and railroad fuel.....	316	316	296	296	296	296	281	246	236	271	221	-----	281
Truck shipment.....	361	361	361	321	321	291	291	266	256	291	-----	-----	291

NOBLE COAL CO., c/o MIKE VARHOLA, BELLE VALLEY, OHIO, NOBLE MINE, No. 8 SEAM, MINE INDEX No. 4332, NOBLE COUNTY, OHIO, SURDISTRICT 2 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, CALDWELL, OHIO

Rail shipment and railroad fuel.....	316	316	296	296	296	296	281	246	236	271	221	-----	281
Truck shipment.....	361	361	361	321	321	291	291	266	256	291	-----	-----	291

SNAKE HOLLOW COAL & CLAY CO., BOX No. 3, NELSONVILLE, OHIO, SNAKE HOLLOW COAL & CLAY CO. MINE, No. 6 SEAM, MINE INDEX No. 4340, ATHENS COUNTY, OHIO, SURDISTRICT 5 FOR ALL METHODS OF SHIPMENT, STRIP MINE, RAIL SHIPPING POINT, NELSONVILLE, OHIO

Rail shipment and railroad fuel.....	376	376	336	336	336	336	316	291	281	316	245	-----	316
Truck shipment.....	401	401	401	361	361	301	301	261	251	301	-----	-----	301

This order shall become effective October 29, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 4. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.215 and all other provisions of Maximum Price Regulation No. 120.

Opinion Accompanying Order No. 1774 Under Maximum Price Regulation No. 120

The order which this opinion accompanies establishes maximum prices and price classifications and assigns mine in-

dex numbers to mines in District No. 4 which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with § 1340.210 (a) (6) of the Regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the same or substantially similar seams. Generally the producer requests the prices and classifications he deems proper.

This application was then submitted to the industry advisory committee for District No. 4. The prices and classifications established are those recommended by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

[F. R. Doc. 46-19459; Filed, Oct. 28, 1946; 8:47 a. m.]

[MPR 120, Order 1775]

LEE CAMPBELL COAL CO. AND CHEMICAL COAL CO.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; it is ordered:

LEE CAMPBELL COAL CO., BLACKY, KY., LEE CAMPBELL COAL CO. MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7870, LETCHER COUNTY, KY., SUBDISTRICT 3, RAIL SHIPPING POINT: ULVAH, KY. F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21		
Price classification.....	M	M	M	M	K	K	J	G	E	G	D	K	K	K		
Rail shipment and railroad fuel ¹	411	411	406	406	406	396	376	371	371	406	361	346	341	341		
Truck shipment.....	441	421	396	396	381	356	321	316								

¹ Subject to the provisions of Second Revised Order No. 1432, under MPR 120, as amended.

CHEMICAL COAL CO., c/o L. M. WARD, BICKMORE, W. VA., RAINBOW MINE, UPPER KITTANNING SEAM, MINE INDEX NO. 7871, CLAY COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT: HARTLAND, W. VA. F. O. G. 120, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Q	Q	Q	Q	P	P	M	M	K	M	F	M	M	M		
Price classification.....	391	386	381	381	366	361	371	356	351	401	356	326	321	316		
Rail shipment.....	391	386	381	381	371	371	371	371	371	401	356	326	321	316		
Railroad fuel.....	441	421	396	396	381	356	321	316								
Truck shipment.....																

This order shall become effective-October 29, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order 1775 Under Maximum Price Regulation 120

The order which this opinion accompanies establishes maximum prices and price classifications and assigns mine index numbers to mines in District No. 8 which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with § 1340.210 (a) (6) of the regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

same or substantially similar seams. Generally the producer requests the prices and classifications he deems proper.

This application was then submitted to the industry advisory committee for District No. 8. The prices and classifications established are those recommended by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

[F. R. Doc. 46-19460; Filed, Oct. 28, 1946; 8:47 a. m.]

[MPR 188, Order 5257]

C & C LAMPSHADE MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Regis-

ter, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by C & C Lampshade Manufacturing Co., 1702½ Hardy Street, Houston 10, Tex.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
14" crepe or taffeta lampshade, hand sewed with velvet twist trim...	601	Each \$3.65	Each \$4.29	Each \$7.70

These maximum prices are for the articles described in the manufacturer's application dated September 27, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Houston 10, Texas, 2%, 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 29th day of October 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

*Opinion Accompanying Order 5257 Under
§ 1499.158 of Maximum Price Regu-
lation 188*

By application dated September 27, 1946, C & C Lampshade Manufacturing Co., 1702½ Hardy Street, Houston, Texas, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamp shades which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-19465; Filed, Oct. 28, 1946; 8:49 a. m.]

[MPR 120, Order 1776]

GEORGE HUDDLESTON AND J. E. WIGGS

**ESTABLISHMENT OF MAXIMUM PRICES AND
PRICE CLASSIFICATIONS**

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 15. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes

no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for

railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.226 and all other provisions of Maximum Price Regulation No. 120.

GEORGE HUDDLESTON, R. D. No. 1, HOMEWOOD, KANS., RED STAR MINE, RANSOMVILLE SEAM, MINE INDEX No. 2055, FRANKLIN COUNTY, KANS., PRODUCTION GROUP No. 6 FOR ALL METHODS OF SHIPMENT, RAIL SHIPPING POINT: WILLIAMSBURG, KANS., DEEP MINE

	Size group Nos.														
	1, 2, 3	4	5	6	7	8	9	10	11	12	13	14	15		
By all methods of transportation for all uses except railroad locomotive fuel.....	595	595	-----	-----	-----	-----	595	585	585	585	-----	-----	-----		

Railroad locomotive fuel (any size)..... 460

J. E. WIGGS, WALKER, MO., WIGGS MINE, UNIDENTIFIED SEAM, MINE INDEX No. 2056, VERNON COUNTY, MO., PRODUCTION GROUP No. 2 FOR ALL METHODS OF SHIPMENT, RAIL SHIPPING POINT: WALKER, MO., STRIP MINE

Rail shipment.....	316	316	316	316	306	291	296	296	276	241	231	196	171
Truck shipment.....	356	356	331	316	301	296	316	291	291	276	276	256	141

Railroad locomotive fuel:
3" x 0 stoker screenings with ¼ of fine removed..... 286
2" x 0 washed or unwashed..... 261
Any other size not specifically listed..... 301

This order shall become effective October 29, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

*Opinion Accompanying Order 1776 Under
Maximum Price Regulation 120*

The order which this opinion accompanies establishes maximum prices and price classifications and assigns mine index numbers to mines in District No. 15 which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with § 1340.210 (a) (6) of the regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the same or substantially similar seams. Generally the producer requests the prices and classifications he deems proper.

This application was then submitted to the industry advisory committee for District No. 15. The prices and classifications established are those recommended by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

[F. R. Doc. 46-19461; Filed, Oct. 28, 1946; 8:47 a. m.]

[MPR 188, Order 5258]

KENTCRAFT MFG. CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Kentcraft Manufacturing Company, 3040 Indiana Avenue, Kansas City 3, Mo.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
7 x 13 x 8 cotton or rayon table lamp shade with top and bottom braid trim.	SCI-E...	Each \$1.66	Each \$1.95	Each \$3.51
Plated metal table lamp.	1006-T...	3.40	4.00	7.20
14 x 19 x 10 cotton or rayon table lamp shade with top and bottom braid trim.	OAI-F...	2.12	2.50	4.50

These maximum prices are for the articles described in the manufacturer's application dated September 2, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Kansas City 3, Missouri, 2%, 10 days, net 30 days. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other

class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA-Retail Ceiling Price \$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 29th day of October, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order 5258 Under § 1499.158 of Maximum Price Regulation 188

By application dated September 2, 1946, Kentcraft Manufacturing Company, 3040 Indiana Avenue, Kansas City 3, Missouri, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamp shades which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage

in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-19464; Filed, Oct. 28, 1946; 8:48 a. m.]

[SR 15, Order 30]

REYNOLDS METAL CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.75 (a) (18) of SR 15 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies only to sales by manufacturers of soda ash to Reynolds Metal Corporation, Bauxite, Arkansas.

(b) *Maximum prices.* The maximum prices for a manufacturer's sales of soda ash to Reynolds Metal Corporation, Bauxite, Arkansas, shall be such manufacturer's maximum selling price, f. o. b. seller's shipping point, as established under the General Maximum Price Regulation, less the average freight absorption incurred by such seller at the plant from which shipment is being made during the three month period immediately preceding his first shipment to Reynolds Metal Corporation, Bauxite, Arkansas.

(c) *Freight and trade practices.* The prices adjusted by this order are subject to the same freight and trade practices as prevailed on each seller's sales of soda ash in March 1942 except insofar as they are inconsistent with the provisions of this order.

(d) This order may be revoked or amended at any time.

This order shall become effective October 29, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order 30 Under Supplementary Regulation 15 to the General Maximum Price Regulation

This order establishes maximum prices for sales by producers of soda ash to Reynolds Metal Corporation, Bauxite, Arkansas.

Reynolds Metal Corporation is engaged in the production of alumina which requires large quantities of soda ash. Maximum prices of soda ash are fixed on an f. o. b. basis, freight equalized with nearest competitive seller's producing point. The nearest producing points to Bauxite, Arkansas, are Lake Charles and Baton Rouge, Louisiana.

CPA has rated an application for priority assistance to Reynolds Metal Corporation. The total has been apportioned among various producers because it would be a hardship on the one plant which would normally ship to this new alumina plant if the entire quantity were

placed on that plant for delivery. Under the existing price structure the various producers who will now supply Reynolds Metal Corporation would be compelled to absorb freight charges which would reduce realized prices below total cost of making and selling soda ash.

In view of the foregoing, CPA has recommended that these producers be permitted to sell to Reynolds Metal Corporation on an f. o. b. basis, seller's shipping point, less average freight absorption.

Under the provisions of § 1499.75 (a) (18) of SR 15 to the GMPR an inadequate adjustment of these producer's prices would be indicated. In view of the extraordinary situation obtaining as regards the supply of alumina and at the recommendation of the CPA, the Administrator deems it advisable to adjust the prices for sales by producers of soda ash to Reynolds Metal Corporation so that sales may be made on an f. o. b. basis less average freight absorption.

[F. R. Doc. 46-19455; Filed, Oct. 28, 1946; 8:46 a. m.]

[MPR 188, Order 5256]

GWINN CHURCHILL PLASTIC CREATIONS

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Gwinn Churchill Plastic Creations, 3316 Motor Avenue, Los Angeles 34, California.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Chinese modern hand etched lucite table lamp (base only).	A-1-----	Each \$18.44	Each \$21.69	Each \$39.05

These maximum prices are for the articles described in the manufacturer's application date June 19, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Los Angeles 34, California, 2% 10 days, net 30. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price \$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 29th day of October 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

*Opinion Accompanying Order No. 5256
Under § 1499.158 of Maximum Price
Regulation No. 188*

By application dated June 19, 1946, Gwinn Churchill Plastic Creations, 3316 Motor Avenue, Los Angeles 34, California, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-19441; Filed, Oct. 28, 1946;
8:57 a. m.]

[Rev. SO 119, Rev. Order 203]

MARKEL ELECTRIC PRODUCTS, INC.

ADJUSTMENT OF MAXIMUM PRICES

Revised Order No. 203 under Revised Supplementary Order No. 119, Docket No. 6123-SO 119-203. Adjustment of maximum prices for sales of electric wall heaters manufactured by Markel Electric Products, Incorporated of Buffalo, New York.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to Revised Supplementary Order No. 119, it is ordered:

(a) *Maximum prices for Markel Electric Products, Incorporated of Buffalo, New York.* (1) The above manufacturer shall determine his maximum prices for his line of electric wall heaters by increasing by 19.6 percent his prices on these items in effect on October 1, 1941 to each class of purchaser.

(2) Since the provisions of this order are not intended to reduce properly established maximum prices, the manufacturer may continue to use as his maximum prices to each class of purchaser his properly established prices in effect under Maximum Price Regulation No. 591 in the event that such prices exceed the prices in effect to each class of purchaser on October 1, 1941 plus the increase provided for in (1) above.

(3) The maximum prices set forth above shall be subject to discounts and allowances including transportation allowances and price differentials which are at least as favorable as those the manufacturer extended or rendered or would have extended or rendered to each class of purchaser on commodities in the same general category during March, 1942.

(b) *Resellers' maximum prices.* All resellers of the commodities covered by this order (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their presently established maximum prices the percentage increase in cost to them resulting from the adjustment granted the manufacturer.

(c) *Notification to all purchasers.* The manufacturer shall send the following notice to every purchaser of the commodities covered by this order at or before the time of the first invoice after the adjustment granted by this order is put into effect:

Revised Order No. 203 under Revised Supplementary Order No. 119 authorizes a 19.6 percent increase in the October 1, 1941 net prices for sales of electric wall heaters manufactured by this company.

Resellers (but not manufacturers who purchase such items for use in the manufacture of other products) may add to their existing maximum prices the percentage increase in cost to them resulting from the adjustment granted by Revised Order No. 203.

(d) All requests for relief not granted herein are denied.

(e) This order may be amended or revoked by the Price Administrator at any time.

This order shall become effective October 29, 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

*Opinion Accompanying Revised Order
No. 203 Under Revised Supplementary
Order No. 119*

Order No. 203, effective May 16, authorized Markel Electric Products, Inc. of Buffalo, New York to increase its October 1, 1941 maximum prices on its electric wall heaters by 19.6 percent and on its electric lighting fixtures by 18.9 percent. Subsequent to the issuance of Order No. 203, jurisdiction over electric lighting fixtures was transferred to the Machinery Branch where Order No. 196 under Supplementary Order No. 142 was issued, effective September 18, granting the same percentage on those items previously authorized in the Mechanical Building Equipment Price Branch.

The applicant has requested that Order 203 be revised to delete electric lighting fixtures and to permit resellers of the electric wall heaters to pass on the percentage increase in their acquisition cost, since a percentage pass-through to resellers was granted by Order No. 196 under Supplementary Order No. 142, covering electric lighting fixtures. This will enable the company to follow a consistent pattern in pricing both items for the same resellers.

Accordingly, the accompanying revised order grants the applicant's request.

[F. R. Doc. 46-19444; Filed, Oct. 28, 1946;
8:54 a. m.]

[MPR 188, Order 5259]

CIRCLE LIGHTING INDUSTRIES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Circle Lighting Industries, 4415 N. Clark Street, Chicago 40, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
Plated all metal circular fluorescent desk lamp, statuary bronze finish.	32WCDL	Each \$15.30	Each \$18.00	Each \$32.40

These maximum prices are for the articles described in the manufacturer's application dated October 1, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. Chicago, 2%, 10 days, net 30. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Selling Price \$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 29th day of October 1946.

Issued this 28th day of October 1946.

PAUL A. PORTER,
Administrator.

Opinion Accompanying Order No. 5259
Under § 1499.158 of Maximum Price
Regulation No. 188.

By application dated October 1, 1946,
Circle Lighting Industries, 4415 N. Clark
Street, Chicago 40, Illinois, herein called

the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-19442; Filed, Oct. 28, 1946;
8:56 a. m.]

Regional and District Office Orders.

[Springfield Order G-11 Under Gen. Order 68]

HARD BUILDING MATERIALS IN SPRINGFIELD, ILL., DISTRICT

Order No. G-11 under General Order 68, maximum prices for retail sales of selected hard building materials in the Bond, Fayette, Jersey, Macoupin and Montgomery Counties, Illinois, Area. File No. 6SD-GO 68-11.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, it is ordered:

SECTION 1. *What this order covers.* This order covers all retail sales made by any seller, except the manufacturer, of commodities specified in Appendix A attached hereto delivered to the purchaser in the Bond, Fayette, Jersey, Macoupin and Montgomery Counties area which for the purposes of this order consists of the area within the limits of the Counties of Bond, Fayette, Jersey, Macoupin and Montgomery, Illinois.

SEC. 2. *Definitions.*—(a) *Retail sale.* For the purposes of this order, a retail sale means a sale to an ultimate user, or to any contractor, *Provided*, That for the purposes of this order, a "retail sale" shall not include any sale to the United States Government or any of its political subdivisions.

(b) *Contractor.* Any person who sells material or equipment, and in connec-

tion therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) *Applicators.* Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying-roofing and/or siding and/or insulation to buildings.

SEC. 3. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum price or pricing method previously fixed by any other regulation or order covering the commodities specified in the Appendix A. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the regulation applicable to the commodities listed in Appendix A prior to the issuance of this order shall continue to apply to sales covered by this order.

SEC. 4. *Maximum price, discounts, and delivery practices.* On and after the date of this order, regardless of any contract, agreement or other obligation, no person covered by this order shall sell, offer to sell, or deliver at retail as herein defined, any of the items listed in Appendix A attached hereto, at prices higher than the maximum prices set forth in this Appendix. All prices include free delivery within the limits of the city or town where the seller maintains a place of business. For other deliveries outside the free delivery zone no charge may be made for deliveries in excess of the charges now legally in effect by such seller for a similar delivery.

SEC. 5. *Posting.* Every seller making sales covered by this order shall post a copy of the list of maximum prices for sales to all classes of purchasers as contained in Appendix A of this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. For the convenience of the seller there are attached to this order two copies of Appendix A containing the items covered with the respective maximum prices applicable. One copy of such list may be detached and used as a poster hereinbefore required to be posted.

SEC. 6. *Sales slips and records.* Every seller covered by this order must provide the purchaser, whether he requests it or not, with a sales slip, invoice, receipt, or other evidence of sale of which an exact and full copy shall be retained by the seller for the duration of the Emergency Price Control Act of 1942, as amended. The sales slip or other evidence of sale shall contain the following information with respect to items subject to this order:

1. Name and address of seller.
2. Date of sale.
3. Name and address of purchaser (necessary only on sales of items totaling \$7.50 or more.)
4. Description of the item sold, including quantity, grade, and any other matter insofar as any of those matters may affect the

price, in full detail necessary to permit the exact calculation of the applicable maximum price.

5. Charges, if any, for delivery beyond the free delivery zone to be separately listed from the price of the item.

6. The total price.

Each such seller shall also keep such records of each sale as he customarily kept.

SEC. 7. On and after the effective date of this order any person covered by this order who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order, shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended.

No person subject to this order may evade any of the provisions of the order by any stratagem, scheme, or device. No person subject to this order, may as a condition of selling any particular building material, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

This order may be modified, amended, or revoked at any time.

This order shall become effective October 9th, 1946.

Issued this 2d day of October 1946.

BEN J. BECKER,
Deputy District Collector.

APPENDIX A—MAXIMUM PRICES FOR RETAIL SALES OF BUILDING MATERIALS IN THE BOND, FAYETTE, JERSEY, MACOUPIN AND MONTGOMERY COUNTIES, ILLINOIS, AREA

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES

Cash discounts. Sellers shall continue to allow all customary allowances and discounts or other price differentials as required by the regulation applicable to the commodity being sold.

For all deliveries. All prices include free delivery within the limits of the city or town where the seller maintains a place of business. For deliveries outside the free delivery zone no charge may be made for delivery in excess of the charges now legally in effect by such seller for a similar delivery.

Maximum Prices to All Purchasers

Item and unit of sale	Area price
Plasters:	
Cement plaster, unfibered (hard-wall), 100-lb. bag	\$1.10
Cement plaster, wood fiber, 100-lb. bag	1.10
Gauging plaster, white, 100-lb. bag	1.75
Keene's cement, 100-lb. bag	2.50
Lime:	
Finishing lime, 50-lb. bag	.73
Mason's hydrated lime, 50-lb. bag	.62
Gypsum products:	
Plaster lath, 3/8" (rock lath), M feet	28.50
Wallboard, Gypsum 3/8" (sheet-rock), M feet	45.00
Cement products:	
Portland cement (paper), 94 lb. bag	.815
Masonry cement, paper, bag	.715
Clay products:	
Vitrified clay sewer pipe, ISS 4", lin. ft.	.21
Vitrified clay sewer pipe, ISS 6", lin. ft.	.305
Vitrified clay sewer pipe, ISS 8", lin. ft.	.435

Maximum Prices to All Purchasers—Con.

Item and unit of sale	Area price
Clay products—Continued.	
Vitrified clay sewer pipe, ISS 10", lin. ft.	\$0.60
Vitrified clay sewer pipe, ISS 12", lin. ft.	.82
Sewer pipe fittings, 4" curves, elbows, Y's and T's, each	.86
Sewer pipe fittings, 4" RP & HH traps, each	2.11
Sewer pipe fittings, 6" curves, elbows, Y's and T's, each	1.23
Fire clay flue lining, 8 1/2 x 8 1/2", lin. ft.	.43
Fire clay, flue lining, 8 1/2 x 13", lin. ft.	.615
Wallboards:	
Fiber insulation board, standard lath and board 1/2", M sq. ft.	59.15
Fiber insulation asphalt treated sheathing 25/32", M sq. ft.	84.50
Fiber insulation board, 12 x 12, 16 x 16, 16 x 32, 1/2", M sq. ft.	69.25
Hardboard, untempered, 1/8", M sq. ft.	80.00
Hardboard, tempered, 1/8", M sq. ft.	100.00
Roofing and siding:	
Asphalt roofing, smooth, 35 lb., roll	1.20
Asphalt roofing, smooth, 45 lb., roll	1.73
Asphalt roofing, smooth, 55 lb., roll	2.36
Asphalt roofing, smooth, 65 lb., roll	2.62
Asphalt roofing, 90 lb., mineral surface, roll	2.76
Asphalt or tarred felt, 15 lb., roll	2.84
Asphalt or tarred felt, 30 lb., roll	2.84
Slater's Felt (500 ft.)—30 lb., roll	1.57
Asphalt shingles (3 in 1)—210 lb. thickbutt, square	6.29
Asphalt shingles, 165 lb. hexagon, square	4.72
Asphalt roll brick siding, square	3.67
Insulating brick siding, 5/8" approx., square	12.05

Opinion Accompanying Order Nos. G-10 and G-11 Under General Order 68

General Order No. 68, as amended, effective September 16, 1945, issued by the Price Administrator authorizes each Regional Administrator of the Office of Price Administration and any District Director, who may be authorized by the Regional Administrator, to issue and put into effect orders establishing maximum prices, applicable to a particular community or defined area for sales by all persons.

Maximum prices for the commodities in question are, at the manufacturing level, established by specific regulations. Maximum prices for resellers are generally established under the General Maximum Price Regulation or on the basis of GMPR prices. The GMPR freezes the prices charged during March, 1942, and provides an alternative formula pricing method for items not sold during March, 1942. The techniques of freezing prices or pricing formula create difficulties with respect to proper compliance and enforcement which can be eliminated through the use of specific dollars-and-cents prices. In view of the lack of uniformity in prices throughout the country for the same kind of building materials, it is not always possible or desirable to spell out uniform prices for the entire country, at the distribution

levels. Each District Director is best fitted to appraise the needs of the communities in his Area and to take appropriate action. For this reason, it has been deemed advisable for the Regional Administrator to delegate to each District Director the authority to issue and put into effect orders establishing maximum prices for areas within the bounds of his district.

Order G-11 covers the area within the counties of Bond, Fayette, Jersey, Macoupin, and Montgomery, Illinois. These orders, effective October 9, 1946, establish dollars-and-cents prices at retail for the commodities specified in Appendix A of the order. All maximum prices include free delivery within the limits of the city or town where the seller maintains a place of business. For deliveries outside the free delivery zone the seller shall make no charge for deliveries in excess of those now in effect. All sellers are required to maintain all customary allowances and discounts. In determining the appropriate price for each item of hard building materials covered by Order Nos. G-10 and G-11, due consideration has been given to the provisions of all applicable regulations as severally amended. Where increases were granted manufacturers, the uniform area price has been fixed, under the adopted standards, to reflect the permitted increased markup for dealers, in accordance with the provisions of the Emergency Price Control Act of 1942, as amended. The maximum prices established by these orders therefore do not exceed the general level of prices established under the applicable regulations.

All provisions of the orders and their effect upon business practices, cost practices or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the orders unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the orders or of the act. To the extent that the provisions of these orders compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of the orders or of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-19413; Filed, Oct. 25, 1946; 8:57 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 136]

SOLID FUELS IN OMAHA, NEBR., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 9 to Order No. G-16 under Revised Maximum Price Regulation No. 122, paragraph (b), Price Schedule, sub-paragraphs I to VII are amended to read as follows:

PRICE SCHEDULE—Continued

Description	Domestic delivered (1 ton)	Domestic delivered (½ ton)	Domestic at yard (1 ton)	Domestic delivered (per ton)
<p>I. High volatile bituminous coal from District No. 9 (western Kentucky)</p> <p>A. No. 9 seam. 1. Washed nut and pea—size group Nos. 17-22 inclusive, including ¾" x ¾"</p>	\$9.81	\$5.41	\$8.81	\$5.75
<p>II. High volatile bituminous coal from District No. 10 (Illinois)</p> <p>A. Southern subdistrict (deep machine mine):</p> <p>1. Lump and egg—size group Nos. 1, 2, and 3; price groups 1, 2, and 8 (including 6" lump and 6" x 3" eggs)</p>	11.41	6.21	10.41	\$16.06
<p>2. Stove—size group No. 8 (including 2" x 1¼" price group Nos. 1, 2, and 8)</p>	10.76	5.91	9.76	17.31
<p>3. Special stoker—size group Nos. 21, 22, and 28; price group Nos. 1, 2, and 8 (including 1" x 10 mesh and ¾" x 10 mesh)</p>	10.51	5.79	9.51	15.81
<p>B. Duquoin subdistrict (deep machine mine):</p> <p>1. Washed screenings—size group Nos. 23 and 24; price group No. 8 (including 1" x 28 mesh) (sold under trade name S. F. Stoker)</p>	9.81	5.44	8.81	15.01
<p>C. Belleville subdistrict:</p> <p>1. Lump and egg—size group Nos. 1, 2, and 3; price group Nos. 10 and 16-22 inclusive. All lump and egg coals; bottom size larger than 2", washed or raw:</p>	10.26	5.66	9.26	15.96
<p>2. Stove—size group No. 8 (inc. 2" x 1¼") (price group Nos. 10 and 16-22 inclusive):</p>	9.46	5.36	8.46	16.41
<p>III. High volatile bituminous coal from District No. 12 (Iowa)</p> <p>A. Centerville origin group. 1. Lump or chunk—size group Nos. 1 and 2:</p>	10.36	5.68	9.36	15.81
<p>a. Strip mines</p>	11.48	6.25	10.48	16.01
<p>b. Deep machine mines</p>				
<p>IV. Bituminous coal from District No. 14 (Arkansas, Oklahoma)</p> <p>Following is a description of size group numbers referred to in this paragraph:</p>				
<p>(a) 3A, all solid-shot or strip mined, single screened lump coals, bottom size larger than 2½"</p>				
<p>(b) 3, all solid-shot or strip mined, single screened lump coals, bottom size not exceeding 2½"</p>				
<p>(c) 4, all machine cut, single screened lump coals, bottom size not less than 2½"</p>				
<p>(d) 5, all machine cut, single screened lump coals, bottom size less than 2½"</p>				
<p>(e) 6, all double screened coals bottom size larger than 4"</p>				
<p>(f) 7, all double screened coals, top size larger than 4" and bottom size larger than 2½"</p>				
<p>(g) 8, all double screened coals, top size larger than 4" and bottom size not exceeding 2½"; also all double screened coals, top size larger than 3" but not exceeding 4" and bottom size larger than 2"</p>				
<p>(h) 9, all double screened coals, top size larger than 3" but not exceeding 4" and bottom size not exceeding 2½"; also all double screened coals, top size larger than 2½" but not exceeding 3" and bottom size larger than 1½"</p>				
<p>(i) 10, all double screened coals, top size larger than 2½" but not exceeding 3" and bottom size not exceeding 1½"; also all double screened coals, top size not exceeding 2½" and bottom size larger than 1½"</p>				
<p>(j) 11, all double screened coals, top size larger than 1½" but not exceeding 2½" and bottom size larger than ¾"</p>				
<p>(k) 12, all double screened coals, top size larger than 1½" but not exceeding 2½" and bottom size not exceeding ¾"</p>				
<p>(l) 13, all double screened coals, top size larger than 1½" but not exceeding 1½" and bottom size not exceeding ¾"</p>				
<p>(m) 14, all single screened resultant coals, larger than 1½" x 0 but not exceeding 2½" x 0</p>				
<p>(n) 17, all double screened coals, top size not exceeding 1½" and bottom size not exceeding ¾"</p>				

PRICE SCHEDULE

PRICE SCHEDULE—Continued

Description	Domestic delivered (1 ton)	Domestic delivered (½ ton)	Domestic at yard (1 ton)	Commercial delivered (per ton)
IV. Bituminous coal from district No. 14 (Arkansas, Oklahoma)—Continued				
D. Production group Nos. 6 and 6A (includes all mines in the Panama field of Leflore County, Okla.):				
1. Production group No. 6A (underground mines machine cut):				
a. Size group Nos. 4, 6, 7, and 8:				
(i) Mine index No. 15 only	\$15.86	\$8.44	\$14.86	
(ii) Mine index Nos. 48 and 126 only	16.56	8.79	15.56	
b. Size group No. 8:				
(i) Mine index No. 15 only	15.71	8.36	14.71	
(ii) Mine index Nos. 48 and 126 only	16.41	8.71	15.41	
2. Production group No. 6 (strip mines) mine index Nos. 1024, 525, & 1049 only:				
a. Size group No. 3:				
(i) Mine index No. 3	14.66	7.84	13.66	
(ii) Mine index No. 3	14.51	7.76	13.51	
b. Size group No. 3:				
(i) Mine index No. 3	14.56	7.79	13.56	
E. Production group Nos. 7B, 7A, 7AA (includes all mines in the "Hokese and Milton field" of Leflore County, Okla., mines in the McCurtain field of Haskell County and all mines in Sequoyah County, Okla.):				
1. Production group No. 7A (underground mines machine cut) mine index Nos. 22, 99, 134, 213, 495, 543, and 581 only:				
a. Size group Nos. 4, 6, 7, and 8:				
(i) Mine index No. 4	16.21	8.61	15.21	
(ii) Mine index No. 4	16.06	8.54	15.06	
b. Size group No. 5:				
(i) Mine index Nos. 86, 202, 573, and 1045 only:				
a. Size group Nos. 4, 6, 7, and 8:				
(i) Mine index No. 5	15.91	8.46	14.91	
(ii) Mine index No. 5	15.76	8.39	14.76	
c. Size group No. 5:				
(i) Mine index Nos. 3A, 6, 7, and 8:				
a. Size group No. 3A	15.56	8.29	14.56	
b. Size group No. 3:	15.41	8.21	14.41	
V. High volatile bituminous coal from district No. 15 (Kansas, Missouri, and part of Oklahoma)				
A. Production group No. 1 (all mines located in Cherokee, Crawford, Bourbon, Neosho, Labette and Wilson Counties, Kans.; and Barton, Neosho, Dade, Cedar and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Mo.) (strip mines):				
1. Lump-size group Nos. 1 and 2: all lump coal with a bottom size 3" and smaller, and all double screened coal with a top size larger than 10" but larger than 14" and a bottom size larger than 14" but larger than 2":				
a. Size group No. 1	10.12	5.58	9.12	
b. Size group No. 2	10.07	5.53	9.07	
2. Standard nut-size group No. 6 (washed): double screened coal with a top size not larger than 3" but larger than 2" and a bottom size 1½" and smaller:				
a. Size group No. 6	9.72	5.43	8.72	
b. Size group No. 6	9.57	5.28	8.57	
3. Stoker-size group No. 11: double screened coal with a top size 1½" and smaller and a bottom size larger than 1½" but not larger than 3":				
a. Size group No. 11	9.07	5.03	8.07	
b. Size group No. 11	8.17	4.58	7.17	
4. Washed screenings-size group No. 13: washed coal passing through a screen with openings not over 1½" from which no coal has been removed:				
a. Size group No. 13				
b. Size group No. 13				
5. Raw screenings-size group No. 14: raw coal passing through a screen with openings not over 1½" from which no coal has been removed (commercial only):				
a. Size group No. 14				
b. Size group No. 14				
B. Production group No. 2 (all mines located in Linn County, Kans.; and Bates, Henry, St. Clair, Miller Morgan, Pottis, and Johnson Counties and that portion of Vernon County lying north of an east and west line drawn through the town of Nevada, Mo.) (strip mines):				
1. Furnace or egg-size group No. 3 (double screened coal with a top size not larger than 10" but larger than 3" and a bottom size larger than 10" but larger than 3"): mine index No. 2	9.47	5.23	8.47	
2. No. 2 nut-size group No. 7 (double screened coal with a top size not larger than 2" but larger than 1½"): mine index No. 2	8.97	4.98	7.97	

PRICE SCHEDULE—Continued

Description	Domestic delivered (1 ton)	Domestic delivered (½ ton)	Domestic at yard (1 ton)	Commercial delivered (per ton)
V. High volatile bituminous coal from district No. 15 (Kansas, Missouri, and part of Oklahoma)—Continued				
C. Production group No. 3 (all mines located in Boone, Callaway, Audrain, Randolph, Clark, Macon, Monticau, Linn, Grundy, Harrison, Adair, Chariton, Schuyler, Putnam, Cole, Howard, Monroe, Warren, Lincoln, Sullivan, and Ralls Counties in Missouri) (strip mines):				
1. Furnace or egg-size group No. 3 (for dimensions see V B 1 above):	\$9.37	\$5.18	\$8.37	
2. Standard nut-size group No. 6 (for dimensions see V B 3 above):	8.82	4.93	7.82	
3. No. 2 nut-size group No. 7 (for dimensions see V B 2 above):	8.77	4.88	7.77	\$7.77
4. Stoker-size group No. 11 (for dimensions see V A 5 above):	8.67	4.83	7.67	7.02
5. Washed screenings-size group No. 13 (for dimensions see V A 6 above):	8.17	4.58	7.17	6.52
D. Production group No. 9 (all mines located in Coal County, Okla.) (strip mines):				
1. Lump and egg-size group Nos. 1, 2 and 3 (all single screened lump coal with a bottom size 3" and smaller and all double screened coals with a top size larger than 3" but not exceeding 10", bottom size larger than 1½"): mine index No. 8	13.27	7.13	12.27	
2. Chestnut-size group No. 8 (all double screened coals with a top size 1½" and smaller, bottom size larger than 1½"): mine index No. 8	9.87	5.43	8.87	8.77
E. Production group No. 10 (all mines located in McIntosh and Okmulgee Counties, Okla.):				
1. Lump-size group Nos. 1 and 2 (for dimensions see V A 1 above):	13.01	7.01	12.01	
2. Stoker-size group No. 11 (for dimensions see V A 5 above):	10.71	5.86	9.71	
F. Production group No. 11 (all mines located in Tulsa, Wagoner, Koger, Craig, and Nowata Counties, Okla., and all of that part of Muskogee County, Okla., north of a line drawn straight east and west across Muskogee County along the southern limits of the town of Fannin, Okla.) (strip mines)—all mines except mine index No. 1593:				
1. Lump-size group Nos. 1 and 2 (for dimensions see V A 1 above):	11.07	6.03	10.07	
2. Standard nut-size group No. 6 (for dimensions see V A 3 above):	10.77	5.88	9.77	9.42
3. Special stoker-size group No. 11 (for dimensions see V A 3 above):	9.72	5.38	8.72	8.62
VI. High volatile bituminous coal from district No. 19 (Wyoming)				
A. Subdistrict No. 2 (Sweetwater and Sublette Counties):				
1. Nut-size group No. 8 (including 3" x 1½"): mine index No. 8	12.69	6.87	11.69	
2. Slack and stoker screenings-size group Nos. 15 and 16 (including 1½" x 0 and 1" x 0):	10.89	5.97	9.89	9.49
VII. Brigettes				
1. Standard	16.20	8.50	15.20	
2. White City	14.56	7.78	13.56	

Issued this 24th day of September 1946.

DEAN O. BOWMAN,
Acting Regional Administrator.

Opinion Accompanying Amendment No. 136 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line

The maximum prices set forth above for sales of solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this office.

This amendment No. 136 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 1, 1946.

with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122, reflecting an increase granted by Amendment 40, and provisions of Amendment 42 to that regulation.

2. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting increases to producers of certain solid fuels, granted by Amendment 158 to Maximum Price Regulation No. 120.

3. Amendments Nos. 46 and 48 to Revised Maximum Price Regulation No. 122.

4. A report filed with the National Office of the Office of Price Administration relating to Briquettes.

5. Amendment No. 159 to Maximum Price Regulation No. 120.

[F. R. Doc. 46-19357; Filed, Oct. 25, 1946; 8:54 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 140]

SOLID FUELS IN QUINCY, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 26 to Order No. G-16, paragraph (b), subparagraphs I to V are amended to read as follows:

PRICE SCHEDULE	Domestic delivered (per ton)
I. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):	
1. Lump and egg size group Nos. 1, 2, and 3. All single screened lump coal bottom size larger than 2" and all double screened egg coal bottom size larger than 3". Price classification A, mine index Nos. 49 and 50 only.	\$11.86
2. Lump—size group No. 2. All single screened lump coal bottom size larger than 3" but not exceeding 5". Price classification B through E inclusive (this price does not apply to coal produced at mine No. 1 of International Harvester Co., mine index No. 503)	11.37
II. High volatile bituminous coal from district No. 9 (western Kentucky):	
1. Lump and egg size group Nos. 1-6 inclusive. All single screened lump coals and all double screened raw, washed, or air-cleaned egg coals top size larger than 2":	
(a) No. 14 and stray seams.	8.16
(b) No. 9 and 11 seams.	7.91

PRICE SCHEDULE—Continued

Domestic delivered (per ton)

III. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict deep machine mines. Price group Nos. 2, and 8:	
1. Lump and egg size group Nos. 1-5 inclusive. All lump and egg coals bottom size larger than 1½" (including 6" lump, 6 x 3 egg, and 3 x 2 small egg).	\$8.36
2. Stove size group No. 8. All stove coal bottom size larger than ¾" and top size larger than 1½" but not exceeding 2" washed or raw (including 2" x 1½").	8.01
3. Special stoker size group Nos. 21, 22, and 28. All washed or air cleaned nut and pea coal bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding ¾" (including such trade names as G14, Par Fuel, Air-Flow, Super V, De Luxe S. P. Stoker, etc.).	7.66
4. Washed or dedusted screenings (common trade names—S. P. Stoker, Commercial Stoker and Universal Stoker), size groups 23, 24, 26, and 27. All washed, air cleaned or dry dedusted, screenings top size not exceeding 2".	7.36
B. Central subdistrict deep machine mines, price group Nos. 12 and 13. 1. Lump and egg size group Nos. 1, 2, and 3—all lump and egg coals bottom size larger than 2" washed or raw.	6.91
C. Belleville subdistrict deep mines—price group Nos. 16-22 inclusive, except mine index No. 6. 1. Lump and egg size group Nos. 1, 2, and 3—all lump and egg coals bottom size larger than 2" washed or raw.	
(a) Hand loading mines.	7.66
(b) Mine index Nos. 48 and 1317.	7.46
D. Belleville subdistrict—strip mines price group Nos. 16-22 inclusive. 1. Lump and egg size group Nos. 1, 2, and 3—all lump and egg coals bottom size larger than 2" washed or raw.	6.96
IV. Byproduct coke, Solvay or Koppers. 1. Egg, stove, and nut.	17.08
V. Pennsylvania anthracite. 1. Egg, stove, and nut.	19.38

In Appendix No. 26 to Order No. G-16 under Revised Maximum Price Regulation 122, paragraph (c), Discounts is amended to read as follows:

(c) Discounts. The maximum prices set forth in paragraph (b)(1) shall be subject to the following discount:

	Per ton
(1) On sales of coal picked up at the dealer's yard.	\$0.75

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above price may not be increased except pursuant to a future adjustment made by this Office.

This Amendment No. 140 to Order No. G-16 under Revised Maximum Price

Regulation No. 122, shall become effective October 1, 1946.

Issued this 24th day of September 1946.

DEAN O. BOWMAN,
Acting Regional Administrator.

Opinion Accompanying Amendment No. 140 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting record-keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122, reflecting an increase granted by Amendment 40, and provisions of Amendment 42 to that regulation.

2. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting increases to producers of certain solid fuels, granted by Amendment 158 to Maximum Price Regulation No. 120.

3. Regional Order No. G-37 under Revised Maximum Price Regulation No. 122 reflecting increases to producers of Anthracite, granted by Amendment No. 23 to Maximum Price Regulation No. 112.

4. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122 reflecting increases granted by Amendment No. 5 to Maximum Price Regulation No. 29.

5. Amendments Nos. 46, 47 and 48 to Revised Maximum Price Regulation No. 122.

[F. R. Doc. 46-19359; Filed, Oct. 25, 1946; 8:52 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 137]

SOLID FUELS IN COUNCIL BLUFFS, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 23 to Order No. G-16, paragraph (b), subparagraphs I to VII are amended to read as follows:

PRICE SCHEDULE	Domestic delivered (per ton)
I. High volatile bituminous coal from district No. 9 (western Kentucky):	
1. Washed nut and pea—size group Nos. 17-22 inclusive (all washed or air-cleaned, double screened nut, stoker and pea coal, top size not exceeding 2") No. 11 Seam.	\$9.11

PRICE SCHEDULE— Continued	Domestic delivered (per ton)	PRICE SCHEDULE— Continued	Domestic delivered (per ton)	PRICE SCHEDULE— Continued	Domestic delivered (per ton)
II. High volatile bituminous coal from district No. 10 (Illinois):					
A. Southern subdistrict, price group Nos. 1, 2 and 8, deep machine mines:					
1. Lump and egg, size group Nos. 1, 2 and 3 (all lump and egg coals bottom size larger than 2" washed or raw).....	\$10.61				
2. Egg and stove, size group Nos. 4, 5, 6 and 8 (all egg and stove coals bottom size 2" and smaller washed or raw).....	10.56				
3. Special stoker, size group Nos. 21, 22 and 28 (all washed or air cleaned, nut and pea coal bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker bottom size larger than 28 mesh and top size not exceeding 3/8").....	9.46				
4. Washed screenings, size group Nos. 23 and 24 (all washed or air cleaned screenings top size not exceeding 2") common trade name S. P. stoker.....	8.86				
B. Belleville subdistrict, price group Nos. 10 and 16-22 inclusive:					
1. Lump and egg, size group Nos. 1, 2 and 3 (all lump and egg coals bottom size larger than 2" washed or raw):					
(a) Deep machine mines.....	9.91				
(b) Strip mines.....	9.71				
III. High volatile bituminous coal from District No. 12 (Iowa):					
A. Centerville Origin group:					
1. Chunk and lump, size group Nos. 1 and 2:					
(a) Deep machine mines.....	10.80				
(b) Strip mines.....	9.68				
2. Small egg, size group No. 4, including 4" x 2" egg:					
(a) Deep machine mines.....	10.56				
(b) Strip mines.....	9.46				
IV. Bituminous coal from District No. 14 (Arkansas, Oklahoma)					
Following is a description of size group numbers referred to in the price schedule of this district:					
(a) 3A. All solid-shot or strip mined, single screened lump coals, bottom size larger than 2 1/2".					
(b) 3. All solid-shot or strip mined, single screened lump coals, bottom size not exceeding 2 1/2".					
(c) 4. All machine cut, single screened lump coals, bottom size not less than 2 1/2".					
(d) 5. All machine cut, single screened lump coals, bottom size less than 2 1/2".					
(e) 6. All double screened coals bottom size larger than 4".					
(f) 7. All double screened coals, top size larger than 4", and bottom size larger than 2 1/2" but not exceeding 4".					
(g) 8. All double screened coals, top size larger than 4" and bottom size not exceeding 2 1/2"; also all double screened coals, top size larger than 3" but not exceeding 4" and bottom size larger than 2".					
(h) 9. All double screened coals, top size larger than 3" but not exceeding 4" and bottom size not exceeding 2"; also all double screened coals, top size larger than 2 1/2" but not exceeding 3" and bottom size larger than 1 1/2".					
IV. Bituminous coal from District No. 14—Continued.					
(i) 10. All double screened coals, top size larger than 2 1/2" but not exceeding 3" and bottom size not exceeding 1 1/2"; also all double screened coals, top size not exceeding 2 1/2" and bottom size larger than 1 1/2".					
(j) 11. All double screened coals, top size larger than 1 1/2" but not exceeding 2 1/2" and bottom size larger than 3/8" but not exceeding 1 1/2".					
(k) 12. All double screened coals top size larger than 1 1/2" but not exceeding 2 1/2" and bottom size not exceeding 3/8"; also all double screened coals, top size larger than 1 1/4"; but not exceeding 1 1/2" and bottom size larger than 3/8".					
(l) 13. All double screened coals, top size larger than 1 1/4" but not exceeding 1 1/2" and bottom size not exceeding 3/8"; also all double screened coals, top size not exceeding 1 1/4" and bottom size larger than 3/8".					
A. Production group No. 1 (includes all mines in Pope County, all mines in the "Spadra field" of Johnson County, Ark., and all mines in the Scranton field of Logan County, Ark.) Strip mines, mine index Nos. 593, 1014, 1021, 1030, 1040, 1047, 1050, 1051 only.					
1. Furnace, grate and egg size group Nos. 6, 7 and 8.....	\$14.66				
2. Range and chestnut size group Nos. 12 and 13.....	14.81				
B. Production group No. 3A (includes all mines in the "Paris field" of Logan County, Ark., and mines in Franklin County located in the Paris Basin)					
1. Underground mines machine cut, mine index Nos. 76 and 110 only: (a) Lump, furnace, grate and egg size group Nos. 4, 6, 7 and 8.....	15.66				
2. Underground mines machine cut, mine index Nos. 77 and 117 only: (a) Lump, furnace, grate and egg, size group Nos. 4, 6, 7 and 8.....	16.26				
3. Underground mines machine cut, mine index Nos. 52, 53 and 132 only: (a) Lump, grate, furnace and egg, size group Nos. 4, 6, 7 and 8.....	16.01				
4. Underground mine machine cut, mine index Nos. 55 and 116 only: (a) Lump, grate, furnace and egg, size group Nos. 4, 6, 7 and 8.....	16.11				
C. Production group No. 5 and 5A (all mines in Sebastian County, Ark.):					
1. Production group No. 5A (underground mines, machine cut): (a) Lump, grate, furnace and egg, size group Nos. 4, 6, 7 and 8: Mine index Nos. 2, 34, 89, 106, 580, 608 and 627 only.....	15.76				
Mine index Nos. 121 and 144 only.....	15.91				
2. Production group No. 5, strip mines, mine index Nos. 1001 and 1005 only: (a) Lump, grate, furnace and egg, size group Nos. 3A, 6, 7 and 8.....	14.26				
IV. Bituminous coal from District No. 14—Continued.					
D. Production group No. 6A (underground mines, machine cut) all mines in the "Panama field" of Le Flore County, Okla., mine index No. 15 only: 1. Lump, grate, furnace and egg, size group Nos. 4, 6, 7 and 8.....					
	\$14.66				
E. Production group No. 7A (underground mines, machine cut) all mines in the "Bokoshe and Milton field" of Le Flore County, Okla., mines in the McCurtain field of Haskell County, all mines in Sequoyah County, Okla., mine index Nos. 22, 59, 134, 213, 495, 543, 581 and 209 only: 1. Lump, grate, furnace and egg, size group Nos. 4, 6, 7 and 8.....					
	15.41				
F. Production group No. 8A (underground mines, machine cut) all mines in the Poteau-Wister field in Le Flore County, Okla., mine index Nos. 23, 113, 123, 207 and 1031 only: 1. Lump, grate, furnace and egg, size group Nos. 4, 6, 7, and 8.....					
	15.01				
V. High volatile bituminous coal from district No. 15 (Missouri, Kansas, Oklahoma and Texas):					
A. Production group No. 1 (all mines in Cherokee, Crawford, Bourbon, Neosho, Labette, and Wilson Counties, Kans., and Burton, Jasper, Dade, Cedar and that part of Vernon County lying south of an east and west line drawn through the town of Nevada, Mo.) (strip mines): 1. Lump and egg, size group Nos. 1, 2 and 3 (all lump coal with a bottom size 3" and smaller, all double screened coals with a top size larger than 3" and a bottom size larger than 1 1/4").....					
	9.67				
B. Production group No. 2, all mines in Linn County, Kans., and Bates, Henry, St. Clair, Miller, Morgan, Pettis and Johnson Counties; and that portion of Vernon County lying north of an east and west line drawn through the town of Nevada in Missouri (strip mines):					
1. Lump and egg, size group Nos. 1, 2 and 3 (all lump coal with a bottom size 3" and smaller; all double screened coal with a top size larger than 3" and a bottom size larger than 1 1/4").....	8.77				
2. Standard nut size group No. 6 (all double screened coals with a top size larger than 2" but not exceeding 3"; bottom size 1 1/4" and smaller).....	8.57				
C. Production group No. 3, all mines located in Boone, Callaway, Audrain, Randolph, Clark, Macon, Moniteau, Linn, Grundy, Harrison, Adair, Chariton, Schuyler, Putnam, Cole, Howard, Monroe, Warren, Lincoln, Sullivan, and Ralls Counties in Missouri (strip mines):					
1. Lump and egg, size group Nos. 1, 2 and 3 (all lump coal with a bottom size 3" and smaller; all double screened coals with a top size larger than 3" and a bottom size larger than 1 1/4").....	8.77				
2. Standard nut, size group No. 6 (all double screened coals with a top size larger than 2" but not exceeding 3", bottom size 1 1/4" and smaller).....	8.32				

PRICE SCHEDULE—
ContinuedDomestic
delivered
(per ton)

V. High volatile bituminous coal from district No. 15—Continued.	
C. Production group No. 3, etc.—Con.	
3. Chestnut, size group No. 8 (double screened coals with a top size 1½" and smaller, bottom size larger than ¾")-----	\$8.22
4. Special stoker, size group No. 11 (all double screened coals with a top size 1½" and smaller, bottom size larger than ¾" but not exceeding ¾")-----	8.32
D. Production group No. 9, all mines located in Coal County, Okla. (strip mines): 1. Lump and egg, size group Nos. 1, 2, and 3 (all lump coal with a bottom size 3" and smaller; all double screened coals with a top size larger than 3" and a bottom size larger than 1½")-----	12.27
E. Production group No. 10, all mines located in McIntosh and in Okmulgee Counties, Okla., deep shaft mines:	
1. Lump and egg, size group Nos. 1, 2 and 3 (all lump coal with a bottom size 3" and smaller, all double screened coals with a top size larger than 3" and a bottom size larger than 1½")-----	12.26
2. Special stoker, size group No. 11 (all double screened coals with a top size 1½" and smaller, bottom size larger than ¾" but not exceeding ¾")-----	9.76
F. Production group No. 11 (all mines located in Tulsa, Wagoner, Roger, Craig and Nowata Counties, Okla., and that part of Muskogee County, Okla., north of a line drawn straight east and west across Muskogee County, along the southern limits of the town Porum, Okla.) strip mines:	
1. Lump and egg size group Nos. 1, 2 and 3 (all lump coal with a bottom size 3" and smaller; all double screened coals with a top size larger than 3" and a bottom size larger than 1½")-----	10.07
2. Standard nut, size group No. 6 (all double screened coals with a top size larger than 2" but not exceeding 3", bottom size 1½" and smaller)-----	9.62
3. Special stoker, size group No. 11 (all double screened coals with a top size 1½" and smaller, bottom size larger than ¾" but not exceeding ¾")-----	8.72
VI. Pennsylvania anthracite: 1. egg, stove and nut-----	21.88
VII. Briquettes made from district No. 14 coals:	
1. Standard-----	15.81
2. White City-----	14.08

In Appendix No. 23 to Order No. G-16 under Revised Maximum Price Regulation No. 122, paragraph (d), *Discounts*, is amended to read as follows:

(d) *Discounts*. The maximum prices set forth in section (b) (1) shall be subject to the following discount:

On "domestic sales" of coal picked up at the dealer's yard-----	Per ton \$1.00
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The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administra-

tion. Therefore, the above prices may not be increased except pursuant to future adjustments made by this Office.

This Amendment No. 137 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 1, 1946.

Issued this 20th day of September, 1946.

DEAN O. BOWMAN,
Acting Regional Administrator.

Opinion Accompanying Amendment No. 137 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122, reflecting an increase granted by Amendment 40, and provisions of Amendment 42 to that regulation.
2. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting increases to producers of certain solid fuels, granted by Amendment 158 to Maximum Price Regulation No. 120.
3. Regional Order No. G-37 under Revised Maximum Price Regulation No. 122 reflecting increases to producers of Anthracite, granted by Amendment No. 23 to Maximum Price Regulation No. 112.
4. Amendments Nos. 46, 47 and 48 to Revised Maximum Price Regulation No. 122.
5. A report filed with the National Office of the Office of Price Administration relating to briquettes.
6. Amendment No. 159 to Maximum Price Regulation No. 120.

[F. R. Doc. 46-19356; Filed, Oct. 25, 1946; 8:54 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 138]

SOLID FUELS IN LINCOLN, NEBR., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 15 to Order No. G-16, paragraph (b), subparagraphs I to V are amended to read as follows:

PRICE SCHEDULE

Domestic
delivered
(per ton)

I. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict price group Nos. 1, 2, and 8 (deep machine mines):	
1. Lump and egg—size group Nos. 1, 2, and 3 (all lump and egg coals, bottom size larger than 2" washed or raw) including 6" lump and 6" x 3" egg-----	\$11.66
2. Egg—size group No. 5 (all egg coals bottom size larger than 1½" but not exceeding 2" and top size larger than 2", but not exceeding 4" washed or raw, including 3" x 2")-----	11.01
3. Stove—size group No. 8 (all stove coal, bottom size larger than ¾" and top size larger than 1½" but not exceeding 2", washed or raw, including 2" x 1½")-----	10.76
4. Special stoker—size group Nos. 21, 22, and 28 (washed or air cleaned nut and pea coal, bottom size larger than 1 millimeter and top size not exceeding 2", and dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding ¾")-----	10.21
B. Duquoin subdistrict price group No. 8 (deep machine mines):	
1. Washed screenings—size group Nos. 23 and 24 (washed or air cleaned screenings top size not exceeding 2"), common trade name, "S. P. Stoker"-----	9.61
C. Belleville and Duquoin subdistricts price group Nos. 10 and 16-22 inclusive: 1. Lump and egg—size group Nos. 1, 2, and 3 (for size description see I, A, 1 above):	
Strip mines-----	10.11
Deep machine mines-----	10.31
II. Bituminous coal from district No. 14 (Arkansas-Oklahoma):	
A. Production group Nos. 1, 1A, and 1B (includes all mines in Pope County, all mines in the "Spadra field" of Johnson County, Ark., and all mines in the Scranton field of Logan County, Ark.):	
1. Nut size group Nos. 9, 10, and 11:	
(a) Production group No. 1 (strip mines) mine index Nos. 593, 1014, 1021, 1030, 1040, 1047, 1050, and 1051 only-----	16.81
(b) Production group No. 1A (underground mines machine cut) mine index Nos. 6, 9, 173, 206, and 1022 only-----	17.86
Production group Nos. 2, 2A and 2B (includes all mines in the Denning-Coal Hill and Altus fields of Franklin and Johnson Counties, and all mines in the Philpott field of Johnson and Franklin Counties, Ark.):	
1. Production group No. 2 (strip mines) index Nos. 537 and 585:	
a. Lump size group No. 3A-----	14.36
b. Lump size group No. 3-----	14.21
c. Grate furnace, egg size group Nos. 6, 7, and 8-----	14.36
2. Production group No. 2B (underground mines solid shot) mine index Nos. 45, 168, 179, 401, 476, 487, 586, and 628 only:	
a. Lump, furnace, grate egg, size group Nos. 3A, 6, 7, and 8-----	15.41
b. Lump, size group No. 3-----	15.26

PRICE SCHEDULE— Continued	Domestic delivered (per ton)
II. Bituminous coal from district No. 14—Continued.	
B. Production group Nos. 2, 2A and 2B—Continued.	
3. Production group No. 2A (underground mines machine cut):	
Mine index Nos. 104, 148, 211, 562, and 628 only:	
a. Lump, furnace, grate egg, size group Nos. 4, 6, 7, and 8-----	\$15.76
b. Lump size group No. 5-----	15.61
Mine index No. 559 only:	
a. Lump, furnace, grate egg, size group Nos. 4, 6, 7, and 8-----	17.01
b. Lump size group No. 5-----	16.86
C. Production group No. 3A (includes all mines in the "Paris field" of Logan County, Ark., and mines in Franklin County located in Paris Basin.)	
1. Production group No. 3A (underground mines machine cut):	
a. Lump, grate furnace and egg size group Nos. 4, 6, 7, and 8:	
(i) Mine index Nos. 76 and 110 only-----	16.46
(ii) Mine index Nos. 52, 53, and 132 only-----	16.71
(iii) Mine index Nos. 55 and 116 only-----	16.91
(iv) Mine index Nos. 40, 77 and 117 only-----	17.16
b. Lump, size group No. 5:	
(i) Mine index Nos. 76 and 110 only-----	16.31
(ii) Mine index Nos. 52, 53, and 132 only-----	16.56
(iii) Mine index Nos. 55 and 116 only-----	16.76
(iv) Mine index Nos. 40, 77, and 117 only-----	17.01
D. Production group Nos. 5, 5A, and 5B (includes all mines in Sebastian County, Ark.):	
1. Production group No. 5 (strip mines) mine index Nos. 484, 511, 547, 548, 601, 630, 1004, 1010, 1019, 1020, 1023, 1026, 1029, 1033, 1043 only:	
a. Lump, grate, furnace and egg, size group Nos. 3A, 6, 7, and 8-----	14.21
b. Lump, size group No. 3-----	14.06
2. Production group No. 5 (strip mines) mine index Nos. 1001, 1005, only:	
a. Lump, grate, furnace, egg, size group Nos. 3A, 6, 7, and 8-----	14.51
b. Lump, size group No. 3-----	14.36
3. Production group No. 5B (underground mines solid shot) mine index Nos. 56, 79, 80, 182, 198, 329, 336, 340, 349, 603, 607, 611, 1011, 1017, 1027, 1038, and 1043:	
a. Lump, grate, furnace, egg, size group Nos. 3A, 6, 7, and 8-----	15.21
b. Lump, size group No. 3-----	15.06
4. Production group No. 5A (underground mines machine cut) mine index Nos. 2, 34, 89, 106, 580, 608, and 627 only:	
a. Lump, grate, furnace, egg, size group Nos. 4, 6, 7, and 8-----	15.96
b. Lump, size group No. 5-----	15.81

PRICE SCHEDULE— Continued	Domestic delivered (per ton)
II. Bituminous coal from district No. 14—Continued.	
D. Production group Nos. 5, 5A, and 5B—Continued.	
5. Production group No. 5A (underground mines machine cut):	
a. Lump, grate, furnace, egg, size group Nos. 4, 6, 7, and 8:	
(i) Mine index No. 121 only-----	\$16.46
(ii) Mine index No. 13 only-----	16.11
(iii) Mine index No. 144 only-----	16.36
b. Lump, size group No. 5:	
(i) Mine index No. 121 only-----	16.31
(ii) Mine index No. 13 only-----	15.96
(iii) Mine index No. 144 only-----	16.21
E. Production group No. 6 and 6A (includes all mines in the "Panama field" of Le Flore County, Okla.):	
1. Production group No. 6 (strip mines) mine index Nos. 1024, 1025, 1041, and 1049 only:	
a. Lump, size group No. 3A-----	14.31
b. Lump, size group No. 3-----	14.16
c. Grate, furnace, egg, size group Nos. 6, 7, and 8-----	14.21
2. Production group No. 6A (underground mine machine cut):	
a. Lump, grate, furnace and egg, size group Nos. 4, 6, 7, and 8:	
(i) Mine index No. 15 only-----	15.51
(ii) Mine index Nos. 48 and 126 only-----	16.21
b. Lump, size group No. 5:	
(i) Mine index No. 15 only-----	15.36
(ii) Mine index Nos. 48 and 126 only-----	16.08
F. Production group No. 7A, 7AA, and 7B (includes all mines in the "Bokoshe and Milton field" of Le Flore County, Okla., mines in the McCurtain field of Haskell County and all mines in Sequoyah County, Okla.):	
1. Production group No. 7A (underground mines machine cut) mine index Nos. 22, 59, 134, 209, 213, 495, 543, and 581 only:	
a. Lump, grate, furnace, and egg, size group Nos. 4, 6, 7, and 8-----	15.66
b. Lump, size group No. 5-----	15.51
2. Production group No. 7AA (underground mines machine cut) mine index Nos. 86, 573, and 1045 only:	
a. Lump, grate, furnace, and egg, size group Nos. 4, 6, 7, and 8-----	15.36
b. Lump, size group No. 5-----	15.21
3. Production group No. 7B (underground mines solid shot) mine index Nos. 8, 177, 436, 521, 531, 542 only:	
a. Lump, grate, furnace, and egg, size group Nos. 3A, 6, 7, and 8-----	15.01
b. Lump, size group No. 3-----	14.86
G. Production group No. 8, 8A, and 8B (includes all mines in the Poteau-Wister field in Le Flore County, Okla.):	
1. Production group No. 8 (strip mines) mine index No. 1042 only:	
a. Lump, size group No. 3A-----	14.21
b. Lump, size group No. 3-----	14.06
c. Grate, furnace, and egg, size group Nos. 6, 7, and 8-----	14.11

PRICE SCHEDULE— Continued	Domestic delivered (per ton)
II. Bituminous coal from district No. 14—Continued.	
G. Production group No. 8, 8A, and 8B—Continued.	
2. Production group No. 8A (underground mines machine cut):	
a. Lump, grate, furnace, egg, size group Nos. 4, 6, 7, and 8:	
(i) Mine index Nos. 23, 113, 123, and 1031 only-----	\$15.76
(ii) Mine index No. 87 only-----	16.01
(iii) Mine index No. 527 only (size group No. 4 only)-----	16.31
(iv) Mine index No. 527, size group Nos. 6, 7, and 8-----	15.76
b. Lump, size group No. 5:	
(i) Mine index Nos. 23, 113, 123, 207, and 1031 only-----	15.61
(ii) Mine index No. 87 only-----	15.86
(iii) Mine index No. 527 only-----	16.16
3. Production group No. 8B (underground mines solid shot) mine index Nos. 533, 624, and 1044:	
a. Lump, size group No. 3A-----	15.26
b. Lump, size group No. 3-----	15.11
c. Grate, furnace, and egg, size group Nos. 6, 7, and 8-----	15.16
III. High volatile bituminous coal from district No. 15 (Kansas, Missouri and part of Oklahoma):	
A. Production group No. 1 (all mines located in Cherokee, Crawford, Bourbon, Neosho, Labette, and Wilson Counties, Kans., and Barton, Jasper, Dade, Cedar, and that portion of Vernon County lying south of an east and west line drawn through the town of Nevada, Mo.) (strip mines):	
1. Washed egg, size group No. 3 (all washed double screened coals with a top size larger than 3" but not exceeding 10", bottom size 1 1/4" and smaller, including 6" x 3")-----	10.02
2. Standard nut, size group No. 6 (double screened coals with top size larger than 2" but not exceeding 3"; bottom size 1 1/4" and smaller, including 3" x 1 1/4")-----	9.67
3. No. 2 nut—size group No. 7 (double screened coals with a top size larger than 1 1/4" but not exceeding 2") washed coal only-----	9.12
4. Stoker—size group No. 11 (double screened coals with a top size 1 1/4" and smaller, bottom size larger than 1/4" but not exceeding 3/8")-----	8.67
B. Production group No. 2 (all mines in Linn County, Kans.; and Bates, Henry, St. Clair, Miller, Morgan, Pettis, and Johnson Counties, and that portion of Vernon County lying north of an east and west line drawn through the town of Nevada in Missouri) (strip mines):	
1. Furnace or egg—size group No. 3 (double screened coals with a top size larger than 3" but not exceeding 10", bottom size larger than 1 1/4")-----	9.27

PRICE SCHEDULE—
ContinuedDomestic
delivered
(per ton)III. High volatile bituminous coal
from district No. 15—Continued.

C. Production group No. 3 (all mines located in Boone, Callaway, Audrain, Randolph, Clark, Macon, Moniteau, Linn, Grundy, Harrison, Adair, Chariton, Schuyler, Putnam, Cole, Howard, Monroe, Warren, Lincoln, Sullivan, and Rails Counties in Missouri) (strip mines):

- | | |
|--|--------|
| 1. Furnace or egg—size group No. 3 (double screened coals with a top size larger than 3" but not exceeding 10", bottom size larger than 1½") | \$9.32 |
| 2. Fancy nut—size group No. 5 (double screened coals with a top size larger than 2" but not exceeding 3", bottom size larger than 1¼") | 8.82 |
| 3. Special stoker—size group No. 11 (double screened coals with a top size 1¼" and smaller, bottom size larger than ¾") | 8.27 |
| 4. Washed screenings—size group No. 13 (all washed screenings top size not exceeding 1¼" x 0) | 7.87 |

D. Production group No. 10 (all mines located in McIntosh and in Okmulgee Counties, Okla.):

- | | |
|---|-------|
| 1. Lump—size group Nos. 1 and 2 (all single screened lump coal with a bottom size 3" and smaller; all double screened coals with a top size larger than 10") from deep shaft mines only | 13.06 |
| 2. Special stoker—size group No. 11 (double screened coals with a top size 1¼" and smaller, bottom size larger than ¾" but not exceeding ¾") from deep shaft mines only | 10.36 |

E. Production group No. 11 (all mines located in Tulsa, Wagoner, Rogers, Craig, and Nowata Counties, Okla., and all that part of Muskogee County, Okla., north of a line drawn straight east and west across Muskogee County, along the southern limits of the town of Forum, Okla.) (strip mines):

- | | |
|--|-------|
| 1. Lump—size group Nos. 1 and 2 (all single screened lump coal with a bottom size 3" and smaller; all double screened coals with a top size larger than 10") | 11.12 |
| 2. Standard nut—size group No. 6 (double screened coals with a top size larger than 2" but not exceeding 3", bottom size 1¼" and smaller) | 10.47 |
| 3. Special stoker—size group No. 11 (double screened coals with a top size 1¼" and smaller, bottom size larger than ¾" but not exceeding ¾") | 9.62 |

IV. High volatile bituminous coal

from district No. 17 (western and southern Colorado, including Colfax County, N. Mex.): A. Subdistrict No. 4—Oak Hills (that part of Routt County, Colo., lying on and adjacent to the main line of the D. and S. L. Railroad, at and adjacent to the town of Oak Creek and extending north along the line of the D. and S. L. Railroad, Phippsburg to Steamboat Springs, Colo.): 1. Nut—size group No. 9 (all double screened coals top size larger than 1½" but not exceeding 3" and bottom size larger than 1" but not exceeding 1½"; including 3" x 1¼")

13.95

PRICE SCHEDULE—
ContinuedDomestic
delivered
(per ton)

V. Pennsylvania Anthracite: 1. Egg, stove, nut

\$25.88

In Appendix No. 15 to Order No. G-16 under Revised Maximum Price Regulation No. 122, paragraph (e), *Discounts*, is amended to read as follows:

(e) *Discounts*. The maximum prices set forth in section (b) shall be subject to the following discounts:

- | | |
|---|---------|
| | Per ton |
| 1. On "delivered" sales paid for on delivery or within 10 days thereafter | \$0.50 |
| 2. On "delivered" sales of "shovelled" coal to apartment buildings consisting of 4 or more apartments, commercial buildings, office buildings, hotels, and industrial users | 1.00 |
| 3. On "yard" sales in lots of one ton or more | 1.00 |

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore the above price may not be increased except pursuant to a future adjustment made by this office.

This amendment No. 138 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 1, 1946.

Issued this 1st day of October 1946.

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Amendment No. 138 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122, reflecting an increase granted by Amendments 40, and provisions of 42 to that regulation.

2. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting increases to producers of certain solid fuels, granted by Amendment 158 to Maximum Price Regulation No. 120.

3. Regional Order G-37 under Revised Maximum Price Regulation No. 122, reflecting increases to producers of Anthracite, granted by Amendment No. 23 to Maximum Price Regulation No. 112.

4. Amendments Nos. 46 and 48 to Revised Maximum Price Regulation No. 122.

[F. R. Doc. 46-19361; Filed, Oct. 25, 1946; 8:52 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 141]

SOLID FUELS IN AURORA, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 18 to Order No. G-16, paragraph (b), subparagraphs I to VIII are amended to read as follows:

- | | | |
|---|----------------|------------------------|
| | PRICE SCHEDULE | Delivered
(per ton) |
| I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia): | | |
| 1. Lump, egg, and stove—size group Nos. 1, 2 and 3. (All lump coal—bottom size ¾"; all egg coal—top size larger than 3", bottom size—no limit; all stove coal—top size larger than 1¼", but not exceeding 3", bottom size smaller than 3"), in price classifications A and B | | \$13.84 |
| 2. Nut—size group No. 4 (top size larger than ¾", but not exceeding 1¼", bottom size smaller than 1¼"), in price classification A | | 11.84 |
| 3. Pea or dedusted screenings—size group No. 5 (top sizes not exceeding ¾", bottom size smaller than ¾"), in price classification A | | 11.54 |
| 4. Screened run of mine—size group No. 6 (straight run of mine from which all or part of the ¾" or ¾" top size has been removed), in price classifications A and B | | 12.09 |
| II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina): | | |
| 1. Lump and egg—size group Nos. 1, 2, and 3 (all single screened block coal—bottom size larger than 2"; all double screened egg coal—top size larger than 3" and bottom size larger than 3", but not exceeding 4") in price classification A | | 12.12 |
| 2. Lump and egg—size group Nos. 1 and 2 (all single screened block coal—bottom size larger than 3"; all double screened egg coal—top size larger than 6" and bottom size larger than 3", but not exceeding 4"; also all double screened coals—top size 5" and larger and bottom size larger than 4") in price classifications E through M | | 11.22 |
| 3. Egg—size group No. 4 (all double screened egg coals—top size larger than 6" and bottom size larger than 2", but not exceeding 3") in price classification A | | 11.77 |
| 4. Stoker—size group No. 10 (all double screened stoker coals—top size not exceeding 1¼" and bottom size less than 1¼") | | |
| In price classification A, except mine index Nos. 49 and 50 | | 11.37 |
| In price classification B through E | | 10.97 |
| In price classification H | | 10.87 |
| III. High volatile bituminous coal from district No. 9 (western Kentucky): | | |
| 1. Stoker No. 6 seam—size group Nos. 8-12 inc. (all raw double-screened nut, stoker, and pea coals, top size not exceeding 2" and bottom size larger than 10 mesh or ¾") | | 8.71 |

PRICE SCHEDULE— Continued	Delivered (per ton)
III. High volatile bituminous coal from district No. 8—Continued.	
2. Washed screenings No. 14 and stray seams—size group Nos. 23 and 24 (all washed or air cleaned screenings larger than $\frac{3}{8}$ " x 0 but not exceeding 2" x 0)-----	\$7.96
IV. High Volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict price group Nos. 1, 2, and 8 (deep machine mines):	
1. Lump, egg, and stove—size group Nos. 1, 2, 3, 4, 5, 6, and 8 (all lump or egg coals—bottom size larger than 2", washed or raw; also all lump, egg and stove coals, bottom size 2" and smaller, washed or raw)-----	9.26
2. Special stoker—size group Nos. 21, 22, and 28 (washed or air cleaned nut and pea coal—bottom size larger than 1 millimeter, top size not exceeding 2"; and dry dedusted special stoker—bottom size larger than 28 mesh and top size not exceeding $\frac{3}{8}$ ")-----	8.36
3. Washed and dedusted screenings—size group Nos. 23 and 24, 26 and 27 (washed, air cleaned or dry dedusted screenings top size not exceeding 2")—common trade names, Universal, Commercial, and S. P. Stoker-----	7.96
B. Belleville and Dequoin subdistricts, price group Nos. 10 and 16-22 inclusive. 1. Lump and egg—size group Nos. 1, 2, and 3—all lump or egg coals—bottom size larger than 2", washed or raw:	
(a) Strip mines-----	7.81
(b) Deep machine mines-----	8.01
C. Northern subdistrict price group No. 29—strip mines:	
1. Lump and egg—size group Nos. 1, 2, and 3 (all lump or egg coals, bottom size larger than 2", washed or raw)-----	7.06
2. Dedusted screenings—size group Nos. 26 and 27 (dry dedusted screenings, top size not exceeding 2"). Mine index No. 515-----	6.66
V. High volatile bituminous coal from district No. 11 (Indiana):	
1. Lump and egg—size group Nos. 1, 2, and 3 (all lump or egg coals, bottom size larger than 2", washed or raw):	
(a) Price group Nos. 6 and 14-----	9.44
(b) Price group Nos. 15 and 16-----	9.04
(c) Price group Nos. 5 and 13-----	8.29
(d) Price group Nos. 9-12 inclusive-----	8.14
(e) Price group No. 10—mine index No. 115 only-----	8.59
2. Raw, nut, and pea—size group No. 9-12 inclusive (raw, nut and pea coal—bottom size larger than 10 mesh or $\frac{3}{32}$ " and top size not exceeding 2"):	
(a) Price group Nos. 6 and 14-----	8.39
(b) Price group No. 10—mine index 115 only-----	7.74
VI. Pennsylvania anthracite. 1. Egg, stove, and nut-----	19.28
VII. Briquettes low volatile:	
1. Berwind-----	14.51
2. Glen Rogers-----	14.34
VIII. Coke—by-product. 1. Egg, stove, and nut-----	15.83

In Appendix No. 18 to Order No. G-16 under Revised Maximum Price Regulation No. 122, paragraph (e), *Discounts*, is amended to read as follows:

(e) *Discounts*. The following discounts must be given:

- | | |
|--|--------|
| 1. On sales in lots of 20 tons or more----- | \$1.50 |
| 2. On yard sales to domestic consumers----- | 1.00 |
| 3. On yard sales to other dealer of: | |
| (i) Coal of lump, egg, stove, or nut sizes----- | 1.69 |
| Coke of egg, stove or nut sizes----- | 1.80 |
| (ii) Coal of Stoker size----- | 1.44 |
| (iii) "Cheap" coal, as defined in section (f)----- | 1.19 |
| 4. All other discounts customarily given by any seller during December 1941. | |

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this Office.

This Amendment No. 141 to Order G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 3, 1946.

Issued this 1st day of October 1946.

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Amendment No. 141 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122, reflecting an increase granted by Amendment 40, and provisions of Amendment 42 to that regulation.
2. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting increases to producers of certain solid fuels, granted by Amendment 158 to Maximum Price Regulation No. 120.
3. Regional Order G-37 under Revised Maximum Price Regulation No. 122 reflecting increases to producers of Anthracite, granted by Amendment No. 23 to Maximum Price Regulation No. 112.
4. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122 reflecting increases granted by Amendment No. 5 to Maximum Price Regulation No. 29.
5. Amendment Nos. 46, 47 and 48 to Revised Maximum Price Regulation No. 122.
6. Order No. L-48 under Revised Maximum Price Regulation No. 122, issued by the National Office, increasing maximum prices of Berwind briquettes.

[F. R. Doc. 46-19358; Filed, Oct. 25, 1946; 8:52 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 143]

SOLID FUELS IN WATERLOO, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 16 to Order No. G-16, paragraph (b), sub-paragraphs I to VIII are amended to read as follows:

PRICE SCHEDULE	Domestic delivered (per ton)
I. Bituminous coal from district No. 3 (northern West Virginia). 1. Lump and egg—size group No. 1 (all lump and double screened coals, bottom size larger than 2"). In price classification A-----	\$13.54
II. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Lump and egg—size group Nos. 1 and 2 (all lump coal, bottom size $\frac{3}{8}$ "; all egg coal, top size larger than 3", bottom size no limit) in price classification A-----	14.24
2. The price for coal described in subparagraph (1) shall not apply to coal produced by the Raleigh Wyoming Mining Co., Glen Rogers mine, mine index No. 73. This latter coal shall be determined under the provisions of Revised Maximum Price Regulation No. 122, as amended.	
III. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):	
1. Lump—size group No. 3 (all single screened lump, bottom size larger than 2" but not exceeding 3") in price classification A, mine index No. 5805 only-----	13.82
2. Lump—size group Nos. 1 and 2 (all single screened lump, bottom size larger than 3"):	
In price classification A, mine index Nos. 49 and 50 only-----	13.76
All other price classification A coal-----	13.47
3. Lump—size group No. 2 (all single screened lump, bottom size larger than 3" but not exceeding 5"). In price classification E, mine index No. 439 only-----	13.47
4. Lump—size group Nos. 1 and 2 (all single screened lump, bottom size larger than 3") in price classification D through J:	
a. From Southern Appalachian subdistrict No. 6-----	13.07
b. From all other subdistricts-----	12.92
Price classification K through P-----	12.72
5. Egg—size group Nos. 2 and 3 (all egg coal, top size larger than 3" and bottom size larger than 3"):	
a. Price classification A, mine index Nos. 49 and 50 only-----	13.51
b. All other price classifications A coals-----	13.22
6. Egg—size group No. 5 (all egg coal, top size larger than 5" but not exceeding 6" and bottom size larger than 2" but not exceeding 3"; and top size larger than 6" and bottom size 2" and smaller) in price classification D:	
a. Southern Appalachian subdistrict No. 6 only-----	13.02
b. All other subdistricts-----	12.87

PRICE SCHEDULE— Continued	Domestic delivered (per ton)	PRICE SCHEDULE— Continued	Domestic delivered (per ton)
III. High volatile bituminous coal from district No. 8—Continued.		V. High volatile bituminous coal from district No. 10 (Illinois)—Con.	
7. Egg—size group No. 6 (all egg coal, top size larger than 5" but not exceeding 6", and bottom size 2" and smaller; and top size 3" and larger, but not exceeding 5" and bottom and top size larger than 2" but not exceeding 3"). In price classification G through M.	\$12.42	D. Fulton Peoria subdistrict, price group Nos. 24, 25 and 26 (strip mines)—Continued.	
8. Stoker, size group No. 10 (all double screened stoker coals, top size not exceeding 1½", and bottom size less than 1¼").		2. Stove—size group No. 8 (all stove coal—bottom size larger than ¾" and top size larger than 1½" but not exceeding 2", washed or raw)-----	\$7.81
a. In price classification A mine index Nos. 49 and 50 only.	13.26	VI. High volatile bituminous coal from district No. 11 (Indiana):	
b. All other price classification A coal.	12.87	1. Lump—size group No. 1 (all lump coal—bottom size larger than 4", washed or raw) from mine index No. 58 only-----	11.24
c. In price classification B through E.	12.52	2. Lump—size group Nos. 1 and 2 (all lump coal—bottom size larger than 3", washed or raw). In price group Nos. 6 and 14-----	10.69
IV. High volatile bituminous coal from district No. 9 (western Kentucky). 1. Stoker—size group Nos. 8-12 inclusive (all raw double screened nut, stoker and pea coals—top size not exceeding 2" and bottom size larger than 10 mesh or ¾" No. 6 seam)-----	10.31	3. Egg—size group No. 3 (all egg coal—bottom size larger than 2" but not exceeding 3", washed or raw). In price group Nos. 6 and 14-----	10.44
V. High volatile bituminous coal from district No. 10 (Illinois):		4. Egg—size group Nos. 2 and 3 (all egg coal—bottom size larger than 2", but not larger than 4", washed or raw). In price group Nos. 7, 18 and 19-----	9.34
A. Southern subdistrict price group Nos. 1, 2, and 8 (deep machine mines):		5. Stove—size group No. 8 (all stove coal—bottom size larger than ¾", top size larger than 1½" but not exceeding 2", washed or raw). In price group Nos. 6 and 14-----	9.84
1. Lump—size group Nos. 1 and 2 (all lump coal—bottom size larger than 3", washed or raw)-----	10.46	6. Stoker—size group Nos. 9-12, inclusive (raw nut and pea coal, bottom size larger than 10 mesh or ¾" and top size not exceeding 2"). In price group Nos. 6 and 14-----	9.99
2. Egg—size group No. 3 (all egg coal—bottom size larger than 2", but not exceeding 3", washed or raw)-----	10.06	VII. Pennsylvania anthracite: 1. Egg, stove, and nut-----	21.43
3. Stove—size group No. 8 (all stove coal—bottom size larger than ¾" and top size larger than 1½" but not exceeding 2", washed or raw)-----	9.56	VIII. Coke—Byproducts: 1. Solvay or Koppers—Egg, stove or nut-----	18.98
4. Special stoker—size group Nos. 21, 22, and 28 (washed or air-cleaned nut and pea coal—bottom size larger than 1 millimeter and top size not exceeding 2", and dry dedusted special stoker—bottom size larger than 28 mesh and top size not exceeding ¾")-----	9.61	2. In Appendix No. 16 to Order No. G-16 under Revised Maximum Price Regulation No. 122, paragraph (e), <i>Discounts</i> , is amended to read as follows:	
5. Dedusted screenings—size group Nos. 26 and 27 (dry dedusted screenings—top size not exceeding 2") (common trade names—Universal or Commercial Stoker)-----	9.21	(e) <i>Discounts</i> . The maximum prices set forth in section (b) shall be subject to the following discounts:	
B. Belleville and Duquoin subdistricts, price group Nos. 10 and 16-22 inclusive. 1. Egg—size group Nos. 2 and 3 (all egg coal—bottom size larger than 2" but not larger than 4", washed or raw):		Per ton	
a. Strip mines-----	9.26	1. On yard sales to purchasers other than dealers-----	\$0.50
b. Deep machine mine-----	9.46	2. On yard sales to other dealers: Bituminous coal-----	1.44
C. Central subdistrict, price group Nos. 12 and 13 (deep machine mines):		3. On yard sales to other dealers: Anthracite and coke-----	1.55
1. Lump—size group No. 1 (all lump coal—bottom size larger than 4", washed or raw)-----	9.41	4. All discounts for sales in quantities and to classes of purchasers customarily extended during December 1941.	
2. Egg—size group Nos. 2 and 3 (all egg coal—bottom size larger than 2", but not larger than 4", washed or raw)-----	9.16	The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this office.	
D. Fulton Peoria subdistrict, price group Nos. 24, 25 and 26 (strip mines):		This No. 143 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 1, 1946.	
1. Egg—size group No. 2 (all egg coal—bottom size larger than 3" but not exceeding 4", washed or raw)-----	8.36	Issued this 1st day of October 1946.	

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Amendment No. 143 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122 reflecting an increase granted by Amendments 40, and provisions of Amendment 42 to that regulation.

2. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122 reflecting increases to producers of certain solid fuels, granted by Amendment 158 to Maximum Price Regulation No. 120.

3. Regional Order G-37 under Revised Maximum Price Regulation No. 122 reflecting increases to producers of anthracite, granted by Amendment No. 23 to Maximum Price Regulation No. 112.

4. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122 reflecting increases granted by Amendment No. 5 to Maximum Price Regulation No. 29.

5. Amendments Nos. 46 and 48 to Revised Maximum Price Regulation No. 122.

[F. R. Doc. 46-19366; Filed, Oct. 25, 1946; 8:50 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 145]

SOLID FUELS IN PEORIA, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 10 to Order No. G-16, paragraph (b), subparagraphs I to V are amended to read as follows:

PRICE SCHEDULE	Domestic delivered (per ton)
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and Virginia):	
1. Egg—price classification A-----	\$11.99
2. Stove (top size larger than 1¼" not exceeding 3"; bottom size smaller than 3") price classification A-----	11.89
3. Pea (double screened; top size not exceeding ¾"; bottom size less than ¾") price classification A-----	10.74

PRICE SCHEDULE— Continued	Domestic delivered (per ton)
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, northern Tennessee, parts of Virginia and West Virginia):	
1. Lump—size groups Nos. 1 and 2 (4" and larger) in price classification D-F, and egg, size group No. 5 (including 6" x 3") in price classification B-E:	
a. From mines in subdistrict No. 6 (Southern Appalachian)-----	\$10.97
b. From all other mines in above classifications-----	10.72
2. Lump—size group Nos. 1 and 2, in price classifications K-S, and egg, size group No. 5, in price classifications G-M-----	10.47
3. Stoker-size group No. 10 (double screened, top size not exceeding 1 1/4") price classification B-E-----	10.37
III. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict, price groups 1, 2 and 8, deep machine mines:	
1. Egg—size group Nos. 2 and 3 (minimum top size 3"; minimum bottom size larger than 2")-----	8.71
2. Prepared stoker, size group Nos. 21, 22 and 28 (including 3/4" x 10 mesh and 5/8" x 10 mesh)-----	8.16
3. Screenings, size group Nos. 23 and 24 and 26 and 27 washed or dedusted (screenings including 2" top size (common trade names, Universal, Commercial & S. P. stoker)-----	7.66
B. Central subdistrict—price group No. 12 deep machine mines:	
1. Egg, size group No. 2 (including 6" x 4", 7" x 4")-----	6.51
2. Stoker nut, size group No. 20 (including 3/4" x 5/8")-----	7.01
C. Fulton-Peoria subdistrict strip mines:	
1. No. 5 seam, lump, and egg, size group Nos. 1, 2 and 3 (bottom size larger than 2"), washed or raw; price group Nos. 24, 25 and 26 Fulton County coal only-----	5.64
2. No. 6 seam, lump, size group No. 1 (larger than 4"), price group Nos. 27 and 28-----	6.29
3. No. 6 seam, egg, size group No. 5 (including 4" x 2") price group Nos. 27 and 28-----	6.04
4. No. 6 seam, stoker nut, size group Nos. 18, 19 and 20 (maximum top size 1 1/2", minimum bottom size larger than 10 mesh or 3/32") price group Nos. 27 and 28-----	6.79
5. No. 5 seam, stoker nut, size group Nos. 18, 19, and 20 (for dimensions see III-C-4 above) price No. 24-----	5.74
6. No. 5 seam, washed screenings, size group No. 24 (including 1 1/4" x 0) price group No. 24-----	5.14
IV. High volatile bituminous coal from District No. 11 (Indiana):	
A. Linton Sullivan subdistrict: 1. Block or lump—size group No. 1 (larger than 4") price group No. 16-----	8.54
V. Coke byproduct-----	17.08

2. Paragraph (b) (5) is amended to read:

(5) Sales to unequipped dealers at the yard. The maximum price for sales at the equipped dealer's yard to unequipped dealers of the following specified kinds and sizes of solid fuels in lots of 2 tons or more shall be:

	Per ton
Fulton-Peoria subdistrict strip mines: No. 5 seam, lump and egg, size group Nos. 1, 2 and 3 (bottom size larger than 2"), washed or raw; price group Nos. 24, 25 and 26, Fulton County coal only-----	\$4.25

3. Paragraph (4), discounts for pickup at yard, is amended to read as follows:

(4) Discounts for pickup at yard. The maximum prices provided for in the schedule contained in section (b) (1) shall be subject to a discount of not less than 50 cents per ton if coal or coke is picked up at the yard by a domestic consumer.

4. Paragraph (c), Price schedule for certain truckers and mines, is amended to read as follows:

(c) Price schedule for certain truckers and mines. The following shall be the maximum price for the named coals when delivered by truck by persons other than equipped rail dealers from mines located in the counties of Tazewell, Peoria, and Fulton, Ill.

	Delivered per ton
I. District No. 10—Fulton County coal (strip mines): 1. No. 5 seam, lump and egg—size group Nos. 1, 2 and 3 (bottom size larger than 2"); in truck group No. 6-A-----	\$5.58
II. District No. 10—Peoria County coal and Tazewell County coal:	
A. No. 5 seam in truck price group No. 6-A (underground mines loading coal entirely by hand without the aid of any mechanical means such as loading machines or conveyors inside the mine):	
1. All mines except mine index No. 766:	
a. Size group Nos. 1, 2 and 3-----	5.83
b. Size group Nos. 4 and 5-----	5.58
c. Size group No. 6-----	5.48
d. Size group No. 8-----	5.13
e. Size group Nos. 9-12, inclusive-----	5.03
B. No. 5 seam in truck price group No. 6B (underground mines that load coal by mechanical means):	
a. Size group Nos. 1, 2 and 3-----	5.53
b. Size group Nos. 4 and 5-----	5.28
c. Size group No. 6-----	5.18
d. Size group No. 8-----	4.83
e. Size group Nos. 9-12 inclusive-----	5.08
C. Mine Index No. 766 only:	
a. Size group Nos. 1, 2 and 3-----	5.93
b. Size group Nos. 4 and 5-----	5.73
c. Size group No. 6-----	5.63
d. Size group No. 8-----	5.43
e. Size group Nos. 9-12-----	5.23

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this office.

This Amendment No. 145 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 10, 1946.

Issued this 3d day of October 1946.

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Amendment No. 145 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122, reflecting an increase granted by Amendment 40, and provisions of Amendment 42 to that regulation.
 2. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting an increase to producers of certain solid fuels, granted by Amendment 158 to Maximum Price Regulation No. 120.
 3. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122, reflecting the increases granted by Amendment No. 5 to Maximum Price Regulation No. 29, By-Product and Retort Gas Coke.
 4. Amendments Nos. 46, 47 and 48 to Revised Maximum Price Regulation No. 122.
- [F. R. Doc. 46-19364; Filed, Oct. 25, 1946; 8:51 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 146]

SOLID FUELS IN CLINTON, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith, Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 13 to Order No. G-16, paragraph (b), sub-paragraphs I to VII are amended to read as follows:

PRICE SCHEDULE	Delivered per ton
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Lump and egg—size group Nos. 1 and 2 (all lump coal bottom size 3/8"; all egg coal top size larger than 3" bottom size no limit) in price classification A-----	\$14.64
2. Stove—size group No. 3 (all stove coal, top size larger than 1 1/4" but not exceeding 3"; bottom size smaller than 3") in price classification A-----	14.09
3. Pea—size group No. 5 (top size not exceeding 3/4"; bottom size smaller than 3/4"), in price classification A-----	13.34

PRICE SCHEDULE— Continued	Delivered per ton
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):	
1. Lump and egg—size group Nos. 1, 2, and 3 (all single screened lump coal bottom size larger than 2" and all double screened egg coal bottom size larger than 3"), price classification E through H:	
a. From Southern Appalachian subdistrict No. 6.....	\$13.32
b. Other subdistricts.....	13.17
2. Lump—size group Nos. 1 and 2 all single screened lump coal, bottom size larger than 3" in price classification L through O.....	12.52
3. Egg—size group No. 6 (all double screened egg coals top size larger than 5" but not exceeding 6"; bottom size 2" and smaller; and all egg coals top size 3" and larger but not exceeding 5" and bottom size larger than 2" but not exceeding 3") price classification B through K:	
a. From Southern Appalachian subdistrict No. 6.....	13.27
b. Other subdistricts.....	13.12
III. High volatile bituminous coal from district No. 9 (western Kentucky):	
1. Lump and egg—size group Nos. 1-6 inc. (all single-screened lump coals and all double screened, raw, washed or air cleaned egg coals top size larger than 2"):	
a. No. 6 seam.....	9.56
b. No. 14 and stray seams.....	9.56
c. Nos. 9 and 11 seams.....	9.16
2. Raw stoker—size group Nos. 8 to 12 inc. (all raw double screened nut, stoker and pea coals, top size not exceeding 2" and bottom size larger than 10 mesh or 3/32"), No. 6 seam.....	10.06
IV. High volatile bituminous coal from district No. 10 (Illinois):	
1. Southern subdistrict price group Nos. 1, 2 and 8:	
a. Lump, egg and nut—size group Nos. 1, through 5 inc. (all lump and egg coals bottom size larger than 1½", including 6" lump, 6" x 3" egg and 3" x 2" nut).....	9.71
b. Special stoker—size group Nos. 21, 22 and 28 (all washed or air cleaned nut and pea coal, bottom size larger than 1 millimeter and top size not exceeding 2"; and all dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding ¾").....	9.41
c. Washed and dedusted screenings—size groups Nos. 23, 24, 26 and 27 (washed, air cleaned or dry dedusted screenings, top size not exceeding 2").....	9.21
2. Belleville and Dequoin subdistricts, price groups Nos. 10 and 16-22 inc.: a. Lump and egg—size groups Nos. 1, 2 and 3 (all lump and egg coals, bottom size larger than 2" washed or raw):	
Strip mines.....	8.91
Deep machine mines.....	9.11
3. Fulton Peoria subdistrict price group Nos. 24 to 28 inc.:	
a. Lump, egg and nut—size group Nos. 1-5 inc. (all lump and egg coals bottom size larger than 1½" including 9" x 5", 6" x 4", 6" x 2", 4" x 2").....	7.71

PRICE SCHEDULE— Continued	Delivered per ton
IV. High volatile bituminous coal from district No. 10—Con.	
3. Fulton Peoria subdistrict price group Nos. 24 to 28 inc.—Con.	
b. Stove—size group No. 8 (all stove coal, bottom size larger than ¾" and top size larger than 1½" but not exceeding 2" washed or raw).....	\$7.41
c. Stoker—size group Nos. 17-20 inc. (washed or air cleaned nut and pea coal bottom size larger than 10 mesh or 3/32" and top size not exceeding 2"), price group Nos. 27 and 28 only.....	8.11
d. Washed screenings—size group Nos. 23 and 24 (washed or air cleaned screenings top size not exceeding 2") price group Nos. 27 and 28 only.....	7.46
V. High volatile bituminous coal from district No. 11 (Indiana):	
1. Lump and egg—size group Nos. 1, 2 and 3 (all lump and egg coals bottom size larger than 2" washed or raw) price group Nos. 6, 14, 15, 16, and 17.....	10.19
2. Stoker—size group Nos. 9-12 inc. (raw nut and pea coal bottom size larger than 10 mesh or ¾" and top size not exceeding 2"):	
a. Price group Nos. 6 and 14.....	9.84
b. Mine index No. 115 only.....	9.09
VI. Briquettes low volatile.....	15.31
VII. Coke—byproduct—Solvay or Koppers: 1. Stove and nut.....	18.08
In Appendix No. 13 to Order No. G-16 under Revised Maximum Price Regulation No. 122, paragraph (e), Discounts, is amended to read as follows:	
(e) Discounts. The maximum prices set forth in section (b) shall be subject to the following discounts:	Per ton
1. On sales paid for on delivery or within 10 days thereafter.....	\$0.50
2. On sales of stoker coal in lots of 5 tons or more.....	.25
3. On yard sales to domestic consumers.....	.75
4. On yard sales to other dealers of district No. 7 coal.....	1.19
5. On yard sales to other dealers of all other coal.....	1.69

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this office.

This Amendment No. 146 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 5, 1946.

Issued this 30th day of September 1946.

DEAN O. BOWMAN,
Acting Regional Administrator.

Opinion Accompanying Amendment No. 146 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation

for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

Regional Order No. G-32 under Revised Maximum Price Regulation No. 122, reflecting an increase granted by Amendment 40, and provisions of Amendment 42 to that regulation.

2. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting increases to producers of certain solid fuels, granted by Amendment 158 to Maximum Price Regulation No. 120.

3. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122, reflecting increases granted by Amendment No. 5 to Maximum Price Regulation No. 29.

4. Amendments Nos. 46 and 48 to Revised Maximum Price Regulation No. 122.

5. A report filed with the National Office of the Office of Price Administration relating to briquettes.

6. Order No. L-48 under Revised Maximum Price Regulation No. 122, issued by the National Office, increasing maximum prices of Berwind briquettes.

[F. R. Doc. 46-19363; Filed, Oct. 25, 1946; 8:51 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 139]

SOLID FUELS IN WEST BURLINGTON, IOWA, AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 7 to Order No. G-16, paragraph (b), subparagraphs I to VI are amended to read as follows:

PRICE SCHEDULE

	Domestic delivered price	
	1 ton	½ ton
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and Virginia):		
1. Egg—price classification A.....	\$14.04	\$7.27
2. Pea or dedusted screenings—top size not exceeding ¾", bottom size smaller than ¾"; price classification A.....	11.89	6.22
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, northern Tennessee, parts of Virginia and West Virginia):		
1. Lump and egg—size groups 1, 2, and 3, all lump and egg coals—bottom size larger than 2", price classification A, except mine index Nos. 49 and 50.....	12.12	6.34
2. Lump—size group 1, all lump coals—bottom size larger than 5", Southern Appalachian subdistrict No. 6; price classification E.....	12.27	6.39
3. Lump—size group 2, all lump coals—bottom size larger than 3" but not exceeding 6", price classification E through K.....	11.97	6.24

PRICE SCHEDULE—Continued

	Domestic delivered price	
	1 ton	½ ton
III. High volatile bituminous coal from district No. 9 (western Kentucky):		
A. No. 6 Seam:		
1. Lump and egg—size groups 1-6, all lump and egg coals, raw, washed or air cleaned, top size larger than 2".....	\$8.81	\$4.66
2. Stoker—size groups 8-12; all raw double screened nut, stoker, and pea coals; top size not exceeding 2" and bottom size larger than 10 mesh.....	8.41	4.46
B. No. 9 seam: 1. Lump and egg—size groups 1-6; all lump and egg coals, raw, washed or air cleaned; top size larger than 2".....	8.16	4.36
C. No. 14 seam: 1. Lump and egg—size groups 1-6; all lump and egg coals, raw, washed or air cleaned; top size larger than 2".....	7.86	4.21
2. Washed screenings—size groups 23 and 24; all washed or air cleaned screenings; larger than 36" x 0 but not exceeding 2" x 0.....	7.16	3.86
IV. High volatile bituminous coal from district No. 10 (Illinois):		
A. Southern subdistrict price groups 1, 2, and 8 deep machine mines:		
1. Lump and egg—size groups 1, 2 and 3; all lump or egg coals—bottom size larger than 2", washed or raw.....	8.61	4.56
2. Egg and nut—size groups 4, 5, 6 and 8; including 4" x 2", 3" x 2", and 2" x 1 1/4".....	8.36	4.46
3. Prepared stoker—size groups 21, 22, and 28; all stoker coals—bottom size larger than 28 mesh; top size not exceeding 2".....	8.26	4.30
4. Washed and dedusted screenings—size groups 23, 24, 26 and 27; all washed, air cleaned and dry dedusted screenings; top size not exceeding 2".....	7.86	4.19
B. Belleville subdistrict, price groups 16-22 inclusive:		
1. Lump and egg—size groups 1, 2, and 3; all lump or egg coals; bottom size larger than 2", washed or raw:		
(a) Strip mines.....	7.71	4.11
(b) Deep machine mines.....	7.91	4.21
2. Washed nut and pea—size groups 17-20, inclusive; washed or air cleaned nut and pea coals—bottom size larger than 1 millimeter; top size not exceeding 2".....		
(a) Strip mines.....	7.21	3.88
(b) Deep machine mines.....	7.41	3.99
C. Duquoin subdistrict, price group—No. 10 (strip mines):		
1. Lump and egg—size groups 1, 2, and 3; all lump or egg coals; bottom size larger than 2", washed or raw.....	7.51	4.01
2. Nut coal—size group No. 10, including 1 1/2" x 3/4".....	6.91	3.73
3. Nut coal—size group No. 12, including 3/4" x 3/4".....	7.46	3.98
D. Central subdistrict, price groups 12 and 13 (deep machine mines):		
1. Lump—size group 1; bottom size larger than 4".....	7.71	4.11
2. Egg—size group 3, including 6" x 3".....	7.21	3.86
E. Fulton-Peoria subdistrict (strip mines):		
1. Lump and egg—size groups 1, 2, and 3; all lump and egg coals—bottom size larger than 2", washed or raw; price groups 24, 25, and 26.....	6.71	3.61
2. Lump and egg—size groups 1, 2 and 3; all lump and egg coals—bottom size larger than 2", washed or raw; price groups 27 and 28.....	6.91	3.71
V. High volatile bituminous coals from district No. 11 (Indiana):		
1. Lump and egg—size groups 1, 2, and 3; all lump and egg coals—bottom size larger than 2", washed or raw; price groups 6, 14, 15, and 16.....	9.24	4.88
2. Nut—size group No. 5, including 3" x 2"; price group 6.....	8.69	4.63
3. Stoker—size groups 9-12; raw nut or pea coals—bottom size larger than 10 mesh; top size not exceeding 2"; price group 6.....	8.54	4.53
VI. Anthracite: 1. Egg, stove, and nut.....	20.88	10.70

In Appendix No. 7 to Order No. G-16 under Revised Maximum Price Regulation No. 122, paragraph (e), *Discounts*, is amended to read as follows:

(e) *Discount for yard sales.* The maximum prices for yard sales shall be the prices set forth in section (b) less the following discounts:

	Per ton
Sales to other dealers.....	\$1.19
Sales to domestic consumers.....	.60

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration.

This Amendment No. 139 to Order No. G-16 under Revised Maximum Price Regulation No. 122, shall become effective October 1, 1946.

Issued this 1st day of October 1946.

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Amendment No. 139 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122, reflecting an increase granted by Amendment 40, and provisions of Amendment 42 to that regulation.

2. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting increases to producers of certain solid fuels, granted by Amendment 158 to Maximum Price Regulation No. 120.

3. Regional Order G-37 under Revised Maximum Price Regulation No. 122, reflecting increases to producers of Anthracite, granted by Amendment No. 23 to Maximum Price Regulation No. 112.

4. Amendments Nos. 46 and 48 to Revised Maximum Price Regulation No. 122.

[F. R. Doc. 46-19360; Filed, Oct. 25, 1946; 8:52 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 155]

SOLID FUELS IN OSHKOSH, WIS., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 36 to Order No. G-16, paragraph (b), subparagraphs I to IX, are amended to read as follows:

	Domestic delivered (per ton)
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Egg size group No. 2—all egg coal top size larger than 3" bottom size no limit. Price Classification A except mine index No. 73:	
a. Forked or screened.....	\$14.54
b. Shoveled or car run.....	14.04
2. Stove size group No. 3—all stove coal top size larger than 1 1/4", but not exceeding 3"; bottom size smaller than 3". Price classification A:	
a. Forked or screened.....	14.34
b. Shoveled or car run.....	13.84
3. Nut. Price Classification A.....	13.69
4. Stoker or pea, size group No. 5—top size not exceeding 3/4", bottom size smaller than 3/4". Price classification A.....	12.29
5. Screened mine run, size group No. 6—straight run of mine from which all or part of the screenings top size 3/8" or 3/4" have been removed. Price classifications A and B.....	12.84
6. Screenings.....	10.69
II. Low volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina): A. From mine index No. 391—Raven No. 2 mine of the Raven Red Ash Coal Co.:	
1. Egg, size group No. 2—all double screened egg coal top size larger than 3":	
a. Forked or screened.....	14.02
b. Shoveled or car run.....	13.52
2. Stove size group No. 3—all double screened stove coal top size larger than 1 1/4", but not exceeding 3":	
a. Forked or screened.....	13.97
b. Shoveled or car run.....	13.47
3. Stoker or pea coal—size group No. 5 all double screened pea coal top size not exceeding 3/4". Price classification A.....	11.67
III. Mid-volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):	
1. Egg, size group No. 5—all double screened egg coals top size larger than 5" but not exceeding 6" and bottom size larger than 2" but not exceeding 3"; and top size larger than 6" and bottom size 2" and smaller, including 6" x 3". Price classification G through K inclusive, including mine index No. 234.....	12.32
2. Stove size group No. 8—all double screened stove coals top size larger than 2" but not exceeding 3" and bottom size 2" and smaller, including 3" x 2". Price classifications E through M inclusive, including mine index No. 234.....	11.92
IV. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):	
1. Egg and stove:	
a. Elkhorn seam.....	12.82
b. Dorothy and No. 5 block seams.....	11.62
c. Island Creek and Hazard seams.....	12.32
2. Domestic stoker:	
a. Premium Kentucky and Elkhorn seams.....	12.32

PRICE SCHEDULE—Con.

Domestic
delivered
(per ton)

V. High volatile bituminous coal from district No. 10 (Illinois). 1. Lump and egg size group Nos. 1-5 inclusive—all lump and egg coals bottom size larger than 1½" washed or raw, including 6" lump, 6" x 3" and 3" x 2". Southern subdistrict deep machine mines. Price group Nos. 1, 2, and 8.	\$10.61
VI. High volatile bituminous coal from district No. 11 (Indiana):	
1. Lump and egg size group Nos. 1, 2, and 3—all lump and egg coal bottom size larger than 2" washed or raw:	
a. Price group No. 13.	10.20
b. Price group Nos. 9-12 inclusive.	9.64
2. Washed nut and pea size group Nos. 17-22 inclusive—all washed or air-cleaned nut and pea coal bottom size larger than 1 millimeter, top size not exceeding 2".	
Price group No. 13.	9.79
VII. Briquettes, low volatile:	
1. Stott.	15.23
2. Berwind, Reiss, United, and Ubbink.	14.91
VIII. Pennsylvania anthracite:	
1. Egg, stove and nut:	
a. Ash content not in excess of OPA quality standards.	19.89
b. Ash content in excess of OPA quality standards.	18.89
2. Pea:	
a. Ash content not in excess of OPA quality standards.	17.99
b. Ash content in excess of OPA quality standards.	17.19
3. Buckwheat:	
a. Ash content not in excess of OPA quality standards.	16.09
b. Ash content in excess of OPA quality standards.	15.49
IX. Byproduct coke. 1. Chicago or Milwaukee Solvay, Chicago Koppers, Ford.	17.30

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this Office.

This Amendment No. 155 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 15, 1946.

Issued this 10th day of October 1946.

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Amendment No. 155 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the deal-

ers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-33 under Revised Maximum Price Regulation No. 122 reflecting the increases under Amendment No. 21 to Maximum Price Regulation 112, to producers of Pennsylvania Anthracite for dealers obtaining such coal from certain docks in Region VI.
2. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122 reflecting the increases under Amendment No. 158 to Maximum Price Regulation 120, for producers of solid fuels other than anthracite.
3. Regional Order No. G-38 under Revised Maximum Price Regulation No. 122 reflecting increases granted to all dealers including dock dealers for sales of solid fuels obtained or distributed at docks by Amendments 44 and 45 to Revised Maximum Price Regulation No. 122. These increases equal those granted to mine operators, to offset wage increases.
4. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122 reflecting increases granted by Amendment No. 5 to Maximum Price Regulation No. 29.
5. Regional Order No. G-40 under Revised Maximum Price Regulation No. 122, reflecting certain increases for sales of solid fuels by dock dealers granted by Amendment Nos. 47 and 48 to Revised Maximum Price Regulation No. 122.
6. Amendments 46, 47 and 48 to Revised Maximum Price Regulation No. 122.
7. A report relating to prices for briquettes filed with the National Office of the Office of Price Administration.

[F. R. Doc. 46-19411; Filed, Oct. 25, 1946; 8:56 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 156]

SOLID FUELS AN APPLETON, WIS., AREA

An opinion accompanying this amendment has been simultaneously issued herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 39 to Order No. G-16, paragraph (b), subparagraphs I to V are amended to read as follows:

PRICE SCHEDULE

Domestic
delivered
(per ton)

I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Egg and stove—size group Nos. 2 and 3—all double screened egg coal top size larger than 3"—all double screened stove coal top size larger than 1¼" but not exceeding 3". Price classification A:	
a. Screened	\$15.29
b. Shoveled or bin run	14.79
2. Nut size group No. 4—all double screened nut coal top size larger than ¾" but not exceeding 1¼". Price classification A.	13.99
3. Pea or dedusted screenings—size group No. 5—all double screened pea coal top size not exceeding ¾" and bottom size larger than 100 mesh but not exceeding 10 mesh. Price classification A.	12.14
4. Screenings	9.94

PRICE SCHEDULE—Con.

Domestic
delivered
(per ton)

II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):	
1. Egg:	
a. Elkhorn seam	\$13.02
b. Splint seams	12.72
2. Stove:	
a. Elkhorn seam	12.72
b. Hazard No. 4 seam	12.67
3. Stoker:	
a. Premium Kentucky and Elkhorn seams	12.92
III. Pennsylvania anthracite (ash content not in excess of OPA quality standards):	
1. Egg, stove, nut	20.84
2. Pea	19.49
IV. Byproduct coke (Milwaukee Solvay or Ford):	
1. Stove and nut	17.10
V. Briquettes:	
1. Low volatile United and Reiss	14.76
2. High volatile fire balls	12.41

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this Office.

This Amendment No. 156 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 15, 1946.

Issued this 10th day of October 1946.

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Amendment No. 156 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting the increases, under Amendment No. 158 to Maximum Price Regulation 120, for producers of solid fuels other than anthracite.
2. Regional Order No. G-38 under Revised Maximum Price Regulation No. 122 reflecting increases granted to all dealers including dock dealers for sales of solid fuels obtained or distributed at docks by Amendments 44 and 45 to Revised Maximum Price Regulation

No. 122. These increases equal those granted to mine operators, to offset wage increases.

3. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122, reflecting increases granted by Amendment No. 5 to Maximum Price Regulation No. 29.

4. Regional Order No. G-40 under Revised Maximum Price Regulation No. 122, reflecting certain increases for sales of solid fuels by dock dealers granted by Amendment Nos. 47 and 48 to Revised Maximum Price Regulation No. 122.

5. Amendment Nos. 46, 47 and 48 to Revised Maximum Price Regulation No. 122.

6. A report relating to prices for briquettes filed with the National Office of the Office of Price Administration.

[F. R. Doc. 46-19410; Filed, Oct. 25, 1946; 8:56 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 157]

SOLID FUELS IN KENOSHA, WIS., AREA

An opinion accompanying this Amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 17, paragraph (b), subparagraphs I to VII are amended to read as follows:

PRICE SCHEDULE	Delivered (per ton)
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Lump and egg—size group Nos. 1 and 2 (all lump coal bottom size $\frac{3}{8}$ ", all egg coal top size larger than 3" bottom size no limit). In price classifications A and B:	
a. Forked or screened.....	\$14.19
b. Shoveled or bin run.....	13.69
2. Stove—size group No. 3 (top size larger than 1 $\frac{1}{4}$ " but not exceeding 3"; bottom size smaller than 3"). In price classification A:	
a. Forked or screened.....	13.99
b. Shoveled or bin run.....	13.49
3. Nut—size group No. 4 (top size larger than $\frac{3}{4}$ " but not exceeding 1 $\frac{1}{4}$ ", bottom size smaller than 1 $\frac{1}{4}$ "). In price classification A.....	11.84
4. Pea or dedusted screenings—size group No. 5 (top size not exceeding $\frac{3}{4}$ ", bottom size smaller than $\frac{3}{8}$ ").....	11.29
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):	
1. Egg—size group No. 4 (all double screened egg coals, top size larger than 6" and bottom size larger than 2" but not exceeding 3", including 8" x 3"). Price classification G through N.....	11.47
2. Egg—size group No. 6 (all double screened egg coals top size larger than 5" but not exceeding 6" and bottom size 2" and smaller; also top size 3" and larger, but not exceeding 5" and bottom size larger than 2" but not exceeding 3", including 6" x 2" and 5" x 3"). Price classification B through K.....	10.97

PRICE SCHEDULE—CON.

Delivered
(per ton)

II. High volatile bituminous coal from district No. 8—Continued.	
3. Egg—size group No. 7 (all double screened egg coals, top size larger than 3" but not exceeding 5" and bottom size 2" and smaller including 5" x 2" and 4" x 2"): a. In price classification A.....	\$11.42
b. In price classification B through E.....	10.77
4. Stoker—size group No. 10 (all double screened stoker coals, top size not exceeding 1 $\frac{1}{4}$ " and bottom size less than 1 $\frac{1}{4}$ "):	
a. In price classification A.....	10.97
b. In price classification B through E.....	10.72
III. High volatile bituminous coal from district No. 9 (western Kentucky). 1. Stoker—size group Nos. 8-12 inclusive (all raw double screened nut, stoker and pea coals, top size not exceeding 2" and bottom size larger than 10 mesh or $\frac{3}{32}$ "). No. 6 seam.....	9.36
IV. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern subdistrict price group Nos. 1, 2, and 8 (deep machine mines):	
1. Lump and egg—size group Nos. 1, 2, and 3 (all lump and egg coal bottom size larger than 2", washed or raw).....	9.96
2. Egg and nut—size group Nos. 4, 5, 7, and 8 (all egg and stove coals bottom size 2" and smaller, washed or raw).....	9.76
3. Special stoker—size group Nos. 21, 22, and 28 (washed or air cleaned), nut and pea coal—bottom size larger than 1 millimeter and top size not exceeding 2"; also all dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding $\frac{3}{8}$ ").....	9.16
4. Washed screenings—size group Nos. 23 and 24 (all washed or air cleaned screenings—top size not exceeding 2").....	8.86
B. Belleville and Duquoin subdistricts—price group Nos. 10 and 16-22 inclusive. 1. Egg and nut—size group Nos. 4, 5, 6, and 8 (all egg and stove coals, bottom size 2" and smaller washed or raw):	
a. Strip mines.....	9.01
b. Deep machine mines.....	9.21
V. High volatile bituminous coal from District No. 11 (Indiana):	
1. Lump and egg—size group Nos. 1, 2, and 3 (all lump and egg coals, bottom size larger than 2" washed or raw):	
a. Price group Nos. 6 and 14.....	10.44
b. Price group Nos. 15 and 16.....	10.24
2. Egg nut, and stove—size group Nos. 4, 5, 6, and 8 (all egg and stove coals bottom size 2" and smaller, washed or raw). Price group Nos. 5, 13, 15, 16, and 20.....	9.34
3. Stoker—size group Nos. 9-12 inclusive (raw nut and pea coal—bottom size larger than 10 mesh or 3/32" and top size not exceeding 2"). Price groups Nos. 6 and 14.....	9.44
VI. Byproduct coke:	
1. Stove and nut—Solvay or Kopper.....	16.85
2. Stove and nut—Racine.....	15.25
3. Pea—Racine.....	14.25

PRICE SCHEDULE—CON.

Delivered
(per ton)

VII. Briquettes low volatile:	
1. United.....	\$14.17
2. Local briquettes manufactured by Dunnebacke & Co.....	14.26

In Appendix No. 19 to Order No. G-16, paragraph (d) is amended to read as follows:

(d) *Discounts.* The maximum prices set forth in section (b) shall be subject to the following discounts:

	Per ton
1. On yard sales of 1 ton or more to purchasers other than dealers.....	\$1.00
2. On yard sales of 1 ton or more to dealers.....	1.69
3. On a sale or delivery of a lot of 20 tons or more to one bin at one time.....	.50
4. On a sale or delivery of 50 tons or more annually.....	.50
5. On district Nos. 7 and 8 coal picked up at local docks by dealers.....	2.19
6. On briquettes picked up at the dock of Dunnebacke & Co. by dealers whose principal places of business are located in the area covered by this Appendix No. 19.....	3.28

A producer of briquettes may charge for them not more than the maximum prices for such solid fuel as set forth above for retail delivered sales in the area covered by this order.

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this Office.

This amendment No. 157 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 15, 1946.

Issued this 10th day of October 1946.

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Amendment No. 157 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122, reflecting an increase granted by Amendment 40, and provisions of Amendment 42 to that regulation.

2. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122 reflecting the increases, under Amendment No. 158 to Maximum Price Regulation 120, for producers of solid fuels other than anthracite.

3. Amendments No. 46, 47 and 48 to Revised Maximum Price Regulation No. 122.

4. A report relating to prices for briquettes filed with the National Office of the Office of Price Administration.

[F. R. Doc. 46-19409; Filed, Oct. 25, 1946; 8:56 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 144]

SOLID FUELS IN ELGIN, ILL., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 11 to Order No. G-16, paragraph (b), subparagraphs I to VII are amended to read as follows:

PRICE SCHEDULE

	Delivered 1 ton	Delivered ½ ton
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):		
1. Lump, egg, and stove, size groups 1, 2 and 3 (all lump coal bottom size ¾"; all egg coal top size larger than ¾"; bottom size no limit; all stove coal, top size larger than 1½" but not exceeding 3"; bottom size smaller than 3" in price classifications A and B):		
A. Forked.....	\$14.79	\$7.67
B. Shovelled.....	13.79	7.17
2. Pea or dedusted screenings, size group No. 5 (top size not exceeding ¾"; bottom size smaller than ¾", in price classification A):	12.04	6.27
3. Screened mine run, size group No. 6 (straight run of mine from which all or part of the ¾" or ¾" top size has been removed), in price classifications A and B:	12.39	6.47
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, West Virginia, part of Tennessee and North Carolina):		
1. Stoker, size group No. 10 (all double screened stoker coals, top size not exceeding 1½" and bottom size less than 1½"): A. In price classification A, except mine index Nos. 49 and 50. B. In price classification B through E:	11.92	6.24
	11.67	6.09
III. High volatile bituminous coal from district No. 10 (Illinois):		
A. Southern subdistrict price group Nos. 1, 2, and 8 (deep machine mines):		
1. Lump, egg and nut, size group Nos. 1 through 5 (all lump, egg or nut coals with a bottom size larger than 1½"):	9.76	5.16
2. Special stoker, size group Nos. 21, 22 and 28 (washed or air cleaned nut and pea coal, bottom size larger than 1 millimeter; top size not exceeding 2" and all dry dedusted special stoker, bottom size larger than 28 mesh and top size not exceeding ¾"):	9.16	4.84
3. Washed and dedusted screenings, size group Nos. 23, 24, 26, and 27 (all washed, air cleaned, or dry dedusted screenings, top size not exceeding 2" (common trade names, universal, commercial and S. P. Stoker)):	8.71	4.64
B. Central subdistrict price group Nos. 12 and 13 (deep machine mines):		
1. Lump and egg, size group Nos. 1, 2, and 3 (all lump and egg coals, bottom size larger than 2", washed or raw):	8.31	4.41
2. Washed nut and pea, size group Nos. 17-20 inc. (washed or air cleaned nut and pea coal, bottom size larger than 10 mesh or ¾" and top size not exceeding 2"):	8.06	4.29

PRICE SCHEDULE—Continued

	Delivered 1 ton	Delivered ½ ton
III. High volatile bituminous coal from district No. 10—Continued		
C. Northern subdistrict price group No. 29 (strip mines):		
1. Lump and egg, size group Nos. 1, 2, and 3 (all lump and egg coals, bottom size larger than 2", washed or raw):	\$8.31	\$4.41
2. Raw or washed nut, pea and stoker, size group Nos. 9-12 inc. and 17-20 inc. (all raw, washed or air cleaned nut and pea coal, bottom size larger than 10 mesh or ¾"; top size not exceeding 2"):	7.96	4.23
IV. High volatile bituminous coal from district No. 11 (Indiana):		
1. Lump and egg, size group Nos. 1, 2, and 3 (all lump and egg coals, bottom size larger than 2" washed or raw):		
A. In price group Nos. 6 and 14:	10.09	5.33
B. In price group Nos. 15 and 16:	9.74	5.13
C. In price group No. 10, mine index No. 115 only:	9.24	4.88
2. Raw nut and pea, size group Nos. 9-12 inc. (all raw nut and pea coal, bottom size larger than 10 mesh or ¾" and top size not exceeding 2"), price group Nos. 6 and 14:	8.99	4.78
V. Pennsylvania anthracite:		
1. Egg, stove, and nut:	20.98	10.75
2. Pea:	18.03	9.30
3. Buckwheat:	16.48	8.49
VI. Briquettes, low volatile Berwind:	15.01	7.76
VII. Coke byproduct:		
1. Egg, stove, and nut:	16.83	8.67

The above prices include the Illinois retailers' occupation tax.

In Appendix No. 11 to Order No. G-16 under Revised Maximum Price Regulation No. 122, paragraph (d), Discounts, is amended to read as follows:

(d) *Discounts.* (1) The maximum prices shall be those set forth in schedule (b), minus not less than 50 cents per ton, if payment in cash is made on delivery or within 10 days thereof.

(2) In addition to the cash discount set forth in subparagraph (1) above, the maximum prices established in schedule (b) shall be subject to the following discounts:

	Per ton
(i) On sales to consumers, if the coal is picked up by the consumer at the dealer's yard.....	\$0.50
(ii) On sales by dealer to dealer, if the coal is picked up by the purchaser at the seller's yard.....	1.44
Bituminous coal and briquettes.....	1.44
Anthracite and coke.....	1.55
(iii) On farm sales, if the coal is picked up by the farmer at the dealer's yard.....	1.00
(iv) On "delivered" sales of stoker size coal in lots of 20 tons or more.....	.50
(v) On "delivered" sales of coal larger than stoker size coal in lots of 20 tons or more.....	1.00

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflects all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this office.

This Amendment No. 144 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 4, 1946.

Issued this 1st day of October 1946.

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Amendment No. 144 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122 reflecting an increase granted by Amendment 40, and provisions of Amendment 42 to that regulation.

2. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122 reflecting increases to producers of certain solid fuels, granted by Amendment 158 to Maximum Price Regulation No. 120.

3. Regional Order G-37 under Revised Maximum Price Regulation No. 122 reflecting increases to producers of Anthracite, granted by Amendment No. 23 to Maximum Price Regulation No. 122.

4. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122 reflecting increases granted by Amendment No. 5 to Maximum Price Regulation No. 29.

5. Amendment Nos. 46 and 47 and 48 to Revised Maximum Price Regulation No. 122.

6. Order No. L-48 under Revised Maximum Price Regulation No. 122, issued by the National Office, increasing maximum prices of Berwind briquettes.

[F. R. Doc. 46-19365; Filed, Oct. 25, 1946; 8:50 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 154]

SOLID FUELS IN SIOUX FALLS, S. DAK., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 1 to Order No. G-16, paragraph (b) is amended to read as follows:

(b) Immediately below and as part of this paragraph (b) is a Price Schedule which sets forth maximum prices for domestic delivered sales of specified sizes, kinds and quantities of solid fuels. When yard sales of the sizes, kinds and quantities of solid fuels specified in the price schedule below are made, the maximum prices for such sales shall be the prices established by the Price Schedule below for sales by direct delivery, minus 50¢ per ton.

PRICE SCHEDULE

	Domestic delivered	
	1 ton	½ ton
I. Low volatile bituminous coal from district No. 7 (W. Va.):		
1. Lump and egg, size groups Nos. 1 and 2.....	\$17.19	\$8.88
2. Stove, size group No. 3 (top size larger 1½" but not exceeding 3"; bottom size smaller than 3").....	15.69	8.13
3. Nut, size group No. 4 (top size larger than ¾" but not exceeding 1½" bottom size smaller than 1½").....	14.94	7.73
4. Pea, size group 5 (top size not exceeding ¾"; bottom size smaller than ¾").....	14.44	7.48
5. Screenings, size group No. 9, (larger than ¾" x 0, but not exceeding ¾" x 0).....	13.34	6.93
II. High volatile bituminous coal from district No. 8 (E. Ky.):		
1. Lump and egg, price classification A and coal from Millers Creek, and Jellico seams, in size groups Nos. 1 and 2.....	16.22	8.37
2. Stoker, price classification A, size group No. 10 (top size 1½" and smaller; bottom size smaller than 1½").....	13.82	7.17
III. High volatile bituminous coal from district No. 9 (W. Ky.):		
A. Sixth seam mines:		
1. Stoker screenings, 1", size group Nos. 26-29 inclusive (dry dedusted screenings, top size not exceeding 2").....	10.66	5.61
IV. High volatile bituminous coal from district No. 10 (Illinois):		
A. Southern subdistrict, price group Nos. 1, 2 and 8 deep machine mines:		
1. Lump or egg, size group Nos. 1-3 (including 6" x 3" egg).....	12.16	6.41
2. Stove, size group No. 8 (top size 2" to larger than 1½"; bottom size smaller than 2" to larger than ¾").....	11.26	5.91
V. Bituminous coal from district No. 14 (Arkansas-Oklahoma). Following is a description of size group numbers referred to in the price schedule for this district:		
(a) 3A. All solid shot or strip-mined, single screened lump coals, bottom size larger than 2½".....		
(b) 3. All solid shot or strip-mined, single screened lump coals bottom size not exceeding 2½".....		
(c) 4. All machine cut single screened lump coals bottom size not less than 2½".....		
(d) 5. All machine cut single screened lump coals bottom size less than 2½".....		
(e) 6. All double-screened coals bottom size larger than 4".....		
(f) 7. All double-screened coals top size larger than 4" and bottom size larger than 2½" but not exceeding 4".....		
(g) 8. All double screened coals top size larger than 4" and bottom size larger than 3" but not exceeding 4" and bottom size larger than 2".....		
A. Production group No. 1 and 1A (includes all mines in Pope County, all mines in the "Spadra field" of Johnson County, Ark., all mines in the Scranton field of Logan County, Ark.):		
1. Production group No. 1 (strip mines) mine index Nos. 563, 1014, 1021, 1030, 1040, 1047, 1050, 1051 only:		
(a) Size group No. 3.....	15.71	8.12
(b) Size group 3A.....	15.86	8.19
(c) Size group Nos. 6, 7 and 8.....	16.21	8.37
2. Production group No. 1A (underground machine cut mines) mine index Nos. 6, 9, 173, 206 and 1022 only:		
(a) Size group No. 4.....	17.11	8.82
(b) Size group No. 5.....	16.96	8.74
(c) Size group Nos. 6, 7, and 8.....	17.26	8.89
3. Production group No. 1A (underground machine cut mines) mine index No. 21 only:		
(a) Size group No. 4.....	17.36	8.94
(b) Size group No. 5.....	17.21	8.87
(c) Size group Nos. 6, 7 and 8.122.....	17.71	9.12

No. 211—10

PRICE SCHEDULE—Continued

	Domestic delivered	
	1 ton	½ ton
V. Bituminous coal from district No. 14—Continued		
B. Production group No. 3A (includes all mines in the "Paris field" of Logan County, Ark., and mines in Franklin County located in Paris Basin)		
1. Underground mines, machine cut:		
a. Size group Nos. 4, 6, 7, and 8:		
(i) Mine index Nos. 76 and 110 only.....	\$16.81	\$8.66
(ii) Mine index Nos. 52, 53, and 132.....	17.06	8.79
(iii) Mine index Nos. 55 and 116.....	17.26	8.89
(iv) Mine index Nos. 40, 77, and 117.....	17.51	9.01
b. Size group No. 5:		
(i) Mine index Nos. 76 and 110.....	16.66	8.59
(ii) Mine index Nos. 52, 53, and 132.....	16.91	8.71
(iii) Mine index Nos. 55 and 116.....	17.11	8.81
(iv) Mine index Nos. 50, 77, and 117.....	17.36	8.94
C. Production group Nos. 5, 5A, and 5B (includes all mines in Sebastian County, Ark.):		
1. Production group No. 5 (strip mines) mine index Nos. 484, 511, 547, 548, 601, 630, 1004, 1010, 1020, 1023, 1026, 1029, 1033, 1043, and 1019:		
a. Size group Nos. 3A, 6, 7, and 8.....	14.96	7.74
b. Size group No. 3.....	14.81	7.66
2. Production group No. 5A (underground mines, machine cut):		
a. Size group Nos. 4, 6, 7, and 8:		
(i) Mine index Nos. 2, 34, 89, 106, 580, 608, and 627.....	16.76	8.64
(ii) Mine index No. 13 only.....	16.91	8.71
(iii) Mine index No. 144 only.....	17.16	8.84
(iv) Mine index No. 121 only.....	17.26	8.89
b. Size group No. 5:		
(i) Mine index Nos. 2, 34, 89, 106, 580, 608, and 627.....	16.61	8.56
(ii) Mine index No. 13 only.....	16.76	8.64
(iii) Mine index No. 144 only.....	17.01	8.76
(iv) Mine index No. 121 only.....	17.11	8.81
3. Production group No. 5B (underground solid shot mines) mine index Nos. 56, 79, 80, 182, 198, 329, 336, 340, 349, 603, 607, 611, 1011, 1017, 1027, 1038, and 1043:		
a. Size group Nos. 3A, 6, 7, and 8.....	16.01	8.26
b. Size group No. 3.....	15.86	8.19
D. Production group Nos. 7A, 7AA, and 7B. (includes all mines in the "Bokoshe and Milton field" of Leflore County, Okla., mines in the McCurtain field of Haskell County and all mines in Sequoyah County, Okla.):		
1. Production group No. 7A (underground mines machine cut) mine index Nos. 22, 59, 134, 213, 495, 543, and 581 only:		
(a) Size group Nos. 4, 6, 7 and 8.....	16.21	8.36
(b) Size group No. 5.....	16.06	8.29
2. Production group No. 7AA (underground mines machine cut) mine index Nos. 86, 209, 573, and 1045 only:		
(a) Size group Nos. 4, 6, 7, and 8.....	15.91	8.21
(b) Size group No. 5.....	15.76	8.14
3. Production group No. 7B (underground mines solid shot) mine index Nos. 8, 477, 496, 521, 531, 542 only:		
(a) Size group Nos. 3A, 6, 7, and 8.....	15.56	8.04
(b) Size group No. 3.....	15.41	7.96
VI. Pennsylvania anthracite:		
1. Egg, stove, and nut.....	21.99	11.17
VII. Byproduct coke.....	19.33	9.92
VIII. Briquettes:		
1. Standard.....	16.30	8.43
2. Low volatile (made from district No. 7 low volatile coal and anthracite):		
a. Glen Rogers.....	16.47	8.49
b. Berwind.....	16.37	8.44
c. Stott.....	16.32	8.41

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this Office.

This Amendment No. 154 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 15, 1946.

Issued this 10th day of October 1946.

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Amendment No. 154 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122, reflecting an increase granted by Amendment 40, and provisions of Amendment 42 to that regulation.

2. Regional Order No. G-33 under Revised Maximum Price Regulation No. 122 reflecting the increases under Amendment No. 21 to Maximum Price Regulation 112, to producers of Pennsylvania Anthracite for dealers obtaining such coal from certain docks in Region VI.

3. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting the increases, under Amendment No. 158 to Maximum Price Regulation 120, for producers of solid fuels other than anthracite.

4. Regional Order No. G-38 under Revised Maximum Price Regulation No. 122, reflecting increases granted to all dealers including dock dealers for sales of solid fuels obtained or distributed at docks by Amendment 44 and 45 to Revised Maximum Price Regulation No. 122. These increases equal those granted to mine operators, to offset wage increases.

5. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122, reflecting increases granted by Amendment No. 5 to Maximum Price Regulation No. 29.

6. Regional Order No. G-40 under Revised Maximum Price Regulation No. 122, reflect-

ing certain increases for sales of solid fuels by dock dealers granted by Amendment Nos. 47 and 48 to Revised Maximum Price Regulation No. 122.

7. Amendment No. 46, 47 and 48 to Revised Maximum Price Regulation No. 122.

8. A report relating to prices for briquettes filed with the National Office of the Office of Price Administration.

[F. R. Doc. 46-19412; Filed, Oct. 25, 1946; 8:57 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 160]

SOLID FUELS IN KAUKAUNA, KIMBERLY, AND LITTLE CHUTE, WIS., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 40 to Order No. G-16, paragraph (b), subparagraphs I to VII are amended to read as follows:

PRICE SCHEDULE	Domestic delivered (per ton)
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Egg, size group No. 2—all double screened egg coal top size larger than 3". Price classifications A and B:	
a. Screened	\$14.26
b. Shoveled or bin run	13.76
2. Stove, size group No. 3—all double screened stove coal top size larger than 1½" but not exceeding 3". Price classification A:	
a. Screened	13.61
b. Shoveled or bin run	13.11
3. Nut	13.44
4. Screenings	9.09
II. Low volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):	
1. Nut size group No. 4—all double screened nut coal top size larger than ¾" but not exceeding 1½". Price classifications B through E:	12.12
III. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee, and North Carolina):	
1. Egg:	
a. Premium Kentucky and Elkhorn seams	12.27
b. Splint seams	11.92
2. Stoker:	
a. Premium Kentucky and Elkhorn seams	11.57
IV. Pennsylvania anthracite (ash content not in excess of OPA quality standards):	
1. Egg, stove, and nut	19.54
2. Pea	18.04
V. Byproduct coke. 1. Milwaukee Solvay or Ford	16.75
VI. Package Pocahontas (decontrolled).	
VII. Briquettes:	
1. Low volatile—United Reiss	13.34
2. High volatile—Fireballs	10.76

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the

past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this Office.

This Amendment No. 160 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 15, 1946.

Issued this 10th day of October 1946.

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Amendment No. 160 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting the increases under Amendment No. 158 to Maximum Price Regulation 120, for producers of solid fuels other than anthracite.

2. Regional Order No. G-38 under Revised Maximum Price Regulation No. 122 reflecting increases granted to all dealers including dock dealers for sales of solid fuels obtained or distributed at docks by Amendments 44 and 45 to Revised Maximum Price Regulation No. 122. These increases equal those granted to mine operators, to offset wage increases.

3. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122, reflecting increases granted by Amendment No. 5 to Maximum Price Regulation No. 29.

4. Regional Order No. G-40 under Revised Maximum Price Regulation No. 122, reflecting certain increases for sales of solid fuels by dock dealers granted by Amendment Nos. 47 and 48 to Revised Maximum Price Regulation No. 122.

5. Amendments 46, 47 and 48 to Revised Maximum Price Regulation 122.

6. A report relating to prices for briquettes filed with the National Office of the Office of Price Administration.

[F. R. Doc. 46-19378; Filed, Oct. 25, 1946; 8:46 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 161]

SOLID FUELS IN NEENAH-MENASHA, WIS., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 38, paragraph (b), subparagraphs I to VI are amended to read as follows:

PRICE SCHEDULE	Domestic delivered (per ton)
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Egg size group No. 2, all double screened egg coal top size larger than 3", price classifications A and B:	
a. Screened	\$15.64
b. Shoveled or car run	15.14
2. Stove size group No. 3, all double screened stove coal top size larger than 1½" but not exceeding 3", price classification A:	
a. Screened	15.14
b. Shoveled or car run	14.64
3. Nut, size group No. 4, all double screened nut coal top size larger than ¾" but not exceeding 1½", price classification A	14.79
4. Pea, size group No. 5, all double screened pea coal top size not exceeding ¾", price classification A	13.29
5. Screenings	10.24
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):	
1. Egg:	
a. Premium Kentucky, including Millers Creek and Hi Splint seams	14.02
b. Elkhorn seam	13.52
c. Splint seams	13.17
2. Stove: a. Premium Kentucky including Millers Creek and Hi Splint seams	13.52
3. Domestic stoker: a. Premium Kentucky and Elkhorn seams	13.52
4. Screenings: a. Premium Kentucky and Elkhorn seams	12.97
III. High volatile bituminous coal from district No. 10 (Illinois): A. Southern subdistrict deep machine mines, price group Nos. 1, 2 and 8:	
1. Egg, size group Nos. 5, all egg coal bottom size larger than 1½", but not exceeding 2" and top size larger than 2" but not exceeding 4" washed or raw, including 3" x 2"	11.26
IV. Pennsylvania anthracite (ash content not in excess of OPA quality standards):	
1. Egg, stove, and nut	21.44
2. Pea	19.99
V. Byproduct coke: 1. Milwaukee Solvay and Ford	17.80
VI. Low volatile briquettes: 1. Reiss, United and Berwind	15.44

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this Office.

This Amendment No. 161 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 15, 1946.

Issued this 10th day of October 1946.

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Amendment No. 161 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting the increases, under Amendment No. 158 to Maximum Price Regulation No. 120, for producers of solid fuels other than anthracite.
2. Regional Order No. G-38 under Revised Maximum Price Regulation No. 122 reflecting increases granted to all dealers including dock dealers for sales of solid fuels obtained or distributed at docks by Amendments 44 and 45 to Revised Maximum Price Regulation No. 122. These increases equal those granted to mine operators, to offset wage increases.
3. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122, reflecting increases granted by Amendment No. 5 to Maximum Price Regulation No. 29.
4. Regional Order G-40 under Revised Maximum Price Regulation No. 122, reflecting certain increases for sales of solid fuels by dock dealers granted by Amendment Nos. 47 and 48 to Revised Maximum Price Regulation No. 122.
5. Amendment Nos. 46, 47, and 48 to Revised Maximum Price Regulation No. 122.
6. A report relating to prices for briquettes filed with the National Office of Price Administration.

[F. R. Doc. 46-19377; Filed, Oct. 25, 1946; 8:47 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 158]

SOLID FUELS IN MANITOWOC AND TWO RIVERS, WIS., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 42 to Order No. G-16, 1. Paragraph (a) is amended to read as follows:

(a) *Applicability.* This Appendix No. 42 applies to all delivered sales to consumers of solid fuels made by retail yards where the fuel is delivered to the purchaser within the area in the State of Wisconsin, including the cities of Manitowoc and Two Rivers, Wisconsin and in addition thereto that territory between these cities east of the Chicago

and Northwestern Railroad property along the west bank of Lake Michigan and the towns of Newton and Cleveland.

2. Paragraph (b) (1), subparagraphs I to VIII are amended to read as follows:

PRICE SCHEDULE	Domestic delivered (per ton)
I. High volatile bituminous coal from district No. 2 (western Pennsylvania):	
1. Lump	\$10.44
2. Dock run lump	9.94
II. Low volatile bituminous coal from district No. 7 (southwestern West Virginia and northwestern and central Virginia):	
1. Egg	13.50
2. Stove	13.00
3. Nut	11.95
4. Screenings	9.95
Above prices shall not apply for coal produced by the Raleigh Wyoming Mining Co., Glen Rogers mine, mine index No. 73.	
III. Low volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):	
1. Egg size group No. 2 (all double screened egg coal top size larger than 3") price classifications B and C	12.47
2. Stove size group No. 3 (all double screened stove coal top size larger than 1 1/4" but not exceeding 3") price classifications D and E	11.87
3. Nut size group No. 4 (all double screened nut coal top size larger than 3/4" but not exceeding 1 1/4") price classification B through E	11.47
IV. Medium volatile bituminous coal from district No. 8:	
1. Egg, size group No. 5 (all double screened egg coals top size larger than 5" but not exceeding 6" and bottom size 2" and smaller including 6" x 3") price classification B through E	11.92
2. Stove, size group No. 8 (all double screened stove coals top size larger than 2" but not exceeding 3" and bottom size 2" and smaller including 3" x 1 1/4") price classification A	11.22
V. High volatile bituminous coal from district No. 8:	
1. Egg:	
(a) Elkhorn and Harlan seams	11.04
(b) Splint seams, including Island Creek, No. 5 Block, Chilton Winifrede and Coalburg seams	10.69
2. Stove, premium Kentucky coals in price Classification A	11.09
3. Stoker:	
(a) Premium Kentucky and Elkhorn seams (rescreened)	11.14
(b) Premium Kentucky and Elkhorn seams (domestic)	10.64
(c) Island Creek seam	10.34
4. Screenings:	
(a) Premium Kentucky and Elkhorn seams	9.89
(b) Dorothy seam	9.79
(c) Island Creek seam	9.69
VI. Pennsylvania anthracite (ash content not in excess of OPA quality standards):	
1. Egg, stove and nut	17.95
2. Pea	16.10
VII. Low volatile briquettes: 1. Reiss and United	12.72
VIII. Byproduct coke (Milwaukee Solvay and Racine): 1. Egg, stove or nut:	
(a) In Two Rivers only	16.30
(b) In Manitowoc	16.55

3. Paragraph (d) is amended to read as follows:

(d) *Discounts.* The Maximum prices set forth in section (b) above shall be subject to the following discounts from the net retail prices:

- (i) For coal picked up at the yard by a domestic consumer, 50¢ per ton.
- (ii) For yard sales to resellers of the fuels listed below the discounts shall be given:

	(Per ton)
Coal from districts 7 and 8	\$2.44
Byproduct coke	2.55
Low volatile briquettes	1.94
Anthracite	1.70

(iii) For commercial sales in load lots, 25¢ per ton.

(iv) To contract users of 40 tons or more per season, 50¢ per ton.

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this Office.

This Amendment No. 158 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 15, 1946.

Issued this 10th day of October 1946.

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Amendment No. 158 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting the increases, under Amendment No. 158 to Maximum Price Regulation 120, for producers of solid fuels other than anthracite.
2. Regional Order No. G-38 under Revised Maximum Price Regulation No. 122 reflecting increases granted to all dealers including dock dealers for sales of solid fuels obtained or distributed at docks by Amendments 44 and 45 to Revised Maximum Price Regulation No. 122. These increases equal those granted to mine operators, to offset wage increases.
3. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122, reflecting increases granted by Amendment No. 5 to Maximum Price Regulation No. 29.
4. Regional Order No. G-40 under Revised Maximum Price Regulation No. 122, reflect-

ing certain increases for sales of solid fuels by dock dealers granted by Amendment 47 and 48 to Revised Maximum Price Regulation No. 122.

5. Amendment Nos. 46, 47 and 48 to Revised Maximum Price Regulation No. 122.

6. A report relating to prices for briquettes filed with the National Office of the Office of Price Administration.

The accompanying amendment adds to the geographical applicability of Appendix No. 42 the towns of Newton and Cleveland, Wisconsin, which are within the trading area of Manitowoc and Two Rivers, Wisconsin.

[F. R. Doc. 46-19408; Filed, Oct. 25, 1946; 8:55 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 162]

SOLID FUELS IN SHEBOYGAN, WIS., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 31, paragraph (b), subparagraphs I to V are amended to read as follows:

PRICE SCHEDULE	Domestic delivered (per ton)
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):	
1. Egg, price classification A and B	\$13.51
2. Stove, price classification A	13.01
3. Nut, price classification A	11.96
4. Domestic stoker, price classification A	10.81
5. Screenings	9.96
Above prices do not apply to coal mined by Raleigh, Wyoming Mining Co., Glen Rogers Mine, Mine Index No. 73.	
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern West Virginia, western Virginia, northern Tennessee and North Carolina):	
1. Lump: a. Island Creek seam	10.89
2. Egg: a. Island Creek seam	10.69
3. Domestic stoker:	
a. Premium Kentucky coals in price classification A	10.99
b. Elkhorn seam	10.64
c. Island Creek seam	10.34
4. Screenings:	
a. Dorothy 2" nut and slack	9.79
b. Island Creek 1 1/4" modified screenings	9.79
III. Pennsylvania anthracite:	
1. Egg, stove, and nut	17.95
2. Pea	16.10
3. Buckwheat	13.40
IV. Low volatile briquettes made from district No. 7 coal:	
1. United—manufactured by United Coal & Dock Co., Milwaukee, Wis.	13.11
2. Reiss—manufactured by C. Reiss Coal Co., Sheboygan, Wis.	11.95
V. Byproduct coke:	
1. Local, Badger Koppers Coke (including sales at retail by the Wisconsin Public Service Corp.)	14.00
2. Milwaukee Solvay and Ford Coke	14.55

Producers of briquettes may charge for their sales of briquettes in the area covered by this order the prices set forth above for that kind of fuel.

In Appendix No. 31, paragraph (e) is amended to read as follows:

(e) *Discounts.* The maximum price set forth in section (b) above shall be subject to the following discount:

On "domestic sales" of coal picked up at the dealer's yard..... Per ton \$0.50

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this Office.

This Amendment No. 162 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 21, 1946.

Issued this 15th day of October 1946.

EARL W. CLARK,
Regional Administrator.

Opinion Accompanying Amendment No. 162 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a dealer or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122, reflecting an increase granted by Amendment 40, and provisions of Amendment 42 to that regulation.

2. Regional Order No. G-38 under Revised Maximum Price Regulation No. 122, reflecting increases granted to all dealers including dock dealers for sales of solid fuels obtained or distributed at docks by Amendments 44 and 45 to Revised Maximum Price Regulation No. 122. These increases equal those granted to mine operators, to offset wage increases.

3. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122, reflecting increases granted by Amendment No. 5 to Maximum Price Regulation No. 29.

4. Regional Order No. G-40 under Revised Maximum Price Regulation No. 122, reflecting certain increases for sales of solid fuels by dock dealers granted by Amendment Nos. 47 and 48 to Revised Maximum Price Regulation No. 122.

5. Amendment Nos. 46, 47 and 48 to Revised Maximum Price Regulation No. 122.

6. A report relating to prices for briquettes filed with the National Office of the Office of Price Administration.

[F. R. Doc. 46-19376; Filed, Oct. 25, 1946; 8:47 a. m.]

[Region III Rev. Order G-17 Under Gen. Order 68]

STOCK MILLWORK IN ATHENS, OHIO, AREA

For the reasons set forth in an opinion, which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68 and of Regional Basic Order No. 1-B under General Order No. 68, this order is issued.

SECTION 1. What this order does. This adopting order establishes maximum prices for the stock millwork items listed in the accompanying Tables when sold at retail at or from any point within the Athens, Ohio, Area.

Sec. 2. Area covered. For the purposes of this order the "Athens, Ohio, Area" consists of the Counties of Athens, Gallia, Hocking, Jackson, Meigs, and Vinton, in the State of Ohio.

Sec. 3. Applicability of Basic Order No. 1-B. All the provisions of Basic Order No. 1-B, consistent with this Adopting Order No. G-17 are hereby adopted by, and incorporated by reference into, this order as though fully re-written herein. If Basic Order No. 1-B is amended in any respect, all of the provisions of that order, as amended, shall likewise, without other action be a part of this order.

All persons subject to this adopting order are also subject to, and should read and be familiar with, the provisions of Basic Order No. 1-B.

Sec. 4. Maximum prices—(a) Price lists. Subject to the provisions of subsection (b) of this section 4, the maximum prices for the stock millwork items for which maximum prices are established by this order shall be those set forth in the accompanying Tables which are annexed to and made a part of this order. Prices lower than the maximum prices established hereby may, of course, be charged or paid.

(b) *Additions.* The maximum prices of the stock millwork items listed in the accompanying Tables, shall be determined by adding to the prices listed in said Tables, whichever of the percentage increases listed below are applicable, depending upon the general category of the item to be priced.

General category of items to be priced:	Percentage increase to be added to price in table
Open sash	24.5
Doors with plywood panels	25.0
Doors with raised panels	22.0
Glazed sash	17.5
Frames	25.5
Combination doors	22.0
Window screens	20.5
Douglas fir house doors	24.5
Douglas fir, other than house doors	11.0
Other items	22.0

(c) The prices established herein are the maximum retail prices which may be charged for the stock millwork items listed, whether purchased from manufacturers, jobbers, or self-produced. A seller may quote on a contract basis provided that he maintains records showing complete calculations for each item in his Contract sales may not exceed the sum tract price is based on prices permitted

by this order and applicable regulations. Contract sales may not exceed the sum total of the maximum stock millwork prices for each and all items in the contract. Prices lower than the maximum prices may, of course, be charged and paid.

(d) *Delivery.* (i) The maximum prices established hereby include free delivery of the items purchased.

(ii) In cases where the stock millwork is taken from the stock of a retailer's warehouse and loaded on cars for shipment to an ultimate consumer in a different area, the maximum prices are f. o. b. cars.

(iii) No deduction need be made from the maximum prices established hereby where the purchaser elects to make his own delivery.

The prices listed in this order include all increases granted to resellers by the OPA through August 8, 1946. (See section 6 (b) of Basic Order No. 1-B.) Retail maximum prices stock millwork Athens, Ohio, area including Athens, Gallia, Hocking, Jackson, Meigs and Vinton Counties in the State of Ohio.

TABLE 1—INTERIOR WESTERN PONDEROSA PINE DOORS

OVOLO STICKING

Stock sizes	Thick- ness	4 panel No. 1	5x panel No. 1	5 regular panel No. 1	5x panel No. 2	2 regular W. P. P. S&R fir panels	2 vertical W. P. P. S&R fir panels	6 panel Colonial No. 1 W. P.
	Inches							
2' 0" x 6' 0"	1 3/4	\$5.42						
2' 0" x 6' 6"	1 3/4	6.02	\$6.02					
2' 6" x 6' 6"	1 3/4	7.22						
1' 6" x 6' 8"	1 3/4		6.72					
1' 6" x 7' 0"	1 3/4					\$6.77	\$6.90	\$7.55
1' 8" x 6' 8"	1 3/4					7.32		
1' 10" x 6' 8"	1 3/4					6.77	6.90	7.74
2' 0" x 6' 0"	1 3/4	6.06	6.06	\$6.06	\$5.82	5.81	5.94	6.81
2' 0" x 6' 6"	1 3/4	6.54	6.36			6.09	6.41	7.10
2' 0" x 6' 8"	1 3/4	6.65	6.47	6.65		6.20	6.51	7.19
2' 0" x 6' 10"	1 3/4	7.55	7.11			7.23		
2' 0" x 7' 0"	1 3/4	7.64	7.20	7.64		7.32	7.49	8.45
2' 2" x 6' 8"	1 3/4		7.01			7.13	7.28	8.24
2' 2" x 7' 0"	1 3/4		8.03			7.70	7.86	8.81
2' 4" x 6' 0"	1 3/4					7.08		
2' 4" x 6' 4"	1 3/4	7.55						
2' 4" x 6' 6"	1 3/4	6.99	6.99			6.71	6.84	7.11
2' 4" x 6' 8"	1 3/4	7.16	7.16	7.16		6.84	7.01	7.88
2' 4" x 6' 10"	1 3/4	8.30	8.30			7.97	8.12	
2' 4" x 7' 0"	1 3/4	8.42	8.42	8.42		8.06	8.24	9.55
2' 6" x 6' 0"	1 3/4	7.64	7.64			7.32	7.05	8.45
2' 6" x 6' 6"	1 3/4	7.58	7.35	7.58	7.26	7.05	7.19	8.06
2' 6" x 6' 8"	1 3/4	7.68	7.46	7.68		7.82	7.29	8.16
2' 6" x 6' 10"	1 3/4	8.67	8.18			8.33	8.49	
2' 6" x 7' 0"	1 3/4	8.79	8.28	8.79		7.95	8.61	9.56
2' 8" x 6' 6"	1 3/4	8.34	7.86					9.14
2' 8" x 6' 8"	1 3/4	8.03	7.80	8.03	7.70	7.47	7.64	8.51
2' 8" x 6' 10"	1 3/4	9.05	8.54			8.67	8.36	
2' 8" x 7' 0"	1 3/4	9.17	8.63	9.17		8.28	8.46	9.93
2' 10" x 6' 6"	1 3/4	8.72						
2' 10" x 6' 8"	1 3/4	8.84	8.33	8.84		7.98	8.66	9.60
2' 10" x 6' 10"	1 3/4	9.42	9.42	9.42		9.05	9.26	10.20
2' 10" x 7' 0"	1 3/4	9.54	9.54	9.54		9.17	9.33	10.31
3' 0" x 6' 6"	1 3/4	9.05						
3' 0" x 6' 8"	1 3/4	9.23	8.70			8.85		9.98
3' 0" x 7' 0"	1 3/4	9.98	9.41	9.98		9.56	9.78	10.73
2' 6" x 6' 8"	1 3/4		10.55			11.36		12.68
2' 8" x 6' 8"	1 3/4							13.05
2' 10" x 6' 8"	1 3/4							13.56
3' 0" x 6' 8"	1 3/4							
2' 6" x 7' 0"	1 3/4		12.15			11.69		
2' 8" x 6' 8"	1 3/4		11.12					
2' 8" x 7' 0"	1 3/4		11.93					
2' 10" x 6' 10"	1 3/4		13.01					
2' 10" x 7' 0"	1 3/4		18.18					
3' 0" x 6' 8"	1 3/4		11.99					
3' 0" x 7' 0"	1 3/4	13.73	12.93			13.22		14.48

TABLE 2—FIR GLASS DOORS
NO. 2 QUALITY

Stock sizes	Thick- ness	3X—1 light		3X—3 lights		3X panels— 4 lights		3X panels— 6 lights	
		Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed
	Inches								
2' 6" x 6' 0"	1 3/4	\$6.41	\$7.25	\$6.77	\$7.68	\$6.90	\$7.80	\$7.14	\$8.19
2' 6" x 6' 8"	1 3/4	6.50	7.40	6.86	7.83	6.99	7.95	7.23	8.34
2' 8" x 6' 8"	1 3/4	6.68	7.68	7.04	8.12	7.17	8.25	7.46	8.64
2' 10" x 6' 10"	1 3/4	7.44	9.26	7.80	9.42	7.92	9.54	8.16	9.96
3' 0" x 7' 0"	1 3/4	7.88	9.90	8.24	10.05	8.36	10.17	8.61	10.59

(e) For all sales made to bona fide "resellers on an installed basis", a discount of not less than 2% of the net invoice for payment on or before the tenth of the calendar month following the date of delivery. This discount shall not apply on sales quoted and sold on a contract basis.

SEC. 5. *Relationship to Order No. G-17.* Subject to the provisions of Supplementary Order No. 40 this Revised Order No. G-17 replaces and supersedes Order No. G-17 which is hereby revoked.

SEC. 6. *Effective date.* This Revised Order No. G-17 shall become effective September 20, 1946.

Issued: September 20, 1946.

J. F. KESSEL,
Regional Administrator.

TABLE 3—CELLAR SASH

2 LIGHT CELLAR SASH—WESTERN PONDEROSA PINE

Glass size	Thick- ness	Open	Glazed single strength
	Inches		
12" x 14"	1 3/4	\$0.95	\$1.34
12" x 16"	1 3/4	.98	1.44
12" x 18"	1 3/4	1.01	1.61
14" x 12"	1 3/4	1.08	1.62
14" x 14"	1 3/4	1.08	1.62
14" x 15"	1 3/4	1.13	1.76
14" x 16"	1 3/4	1.13	1.76
14" x 18"	1 3/4	1.16	1.83
14" x 20"	1 3/4	1.19	1.89
15" x 12"	1 3/4	1.08	1.59
15" x 14"	1 3/4	1.13	1.83
15" x 16"	1 3/4	1.16	1.83
15" x 18"	1 3/4	1.19	1.89
15" x 20"	1 3/4	1.20	2.10

3 LIGHT CELLAR SASH—WESTERN PONDEROSA PINE

Glass size	Thick- ness	Open	Glazed single strength
	Inches		
8" x 10"	1 3/4	\$0.90	\$1.17
10" x 12"	1 3/4	1.02	1.38
10" x 14"	1 3/4	1.07	1.58
10" x 16"	1 3/4	1.08	1.79
10" x 18"	1 3/4	1.20	1.98
10" x 20"	1 3/4	1.25	2.10

TABLE 4—HOT BED SASH

Sash opening	Open	Glazed	No. rows glass
3' 0" x 6' 0" 1 3/4	\$3.14	\$6.29	3
4' 0" x 6' 0" 1 3/4	5.57	9.45	4

TABLE 5—KNOCKED DOWN SASH PARTS

TOXIC TREATED WESTERN PONDEROSA PINE

1 3/4" 2-check windows—Ohio knocked down wood parts—"preft"

Glass	Stile or top rail	Check rail	Bottom rail
12"	\$0.17	\$0.14	\$0.20
14"	.18	.14	.23
16"	.18	.15	.24
18"	.20	.17	.26
20"	.21	.18	.27
22"	.23	.18	.29
24"	.23	.20	.30
26"	.24	.20	.33
28"	.26	.21	.33
30"	.27	.23	.36
32"	.30	.24	.39
34"	.32	.26	.41
36"	.33	.27	.44
38"	.33	.27	.44
40"	.36	.29	.50
42"	.39	.30	.50
44"	.42	.33	.54
48"	.48	.39	.65

For Ogee lugs (Cincinnati opening only) add for complete set (4 stiles)—\$0.45

TABLE 6—CUPBOARD DOORS

1 3/4"—1 PANEL WESTERN PONDEROSA PINE

1' 4" x 2' 0"	\$1.37
1' 6" x 2' 0"	1.46
1' 8" x 2' 0"	1.50
2' 0" x 2' 0"	1.73
1' 4" x 2' 6"	1.68
1' 6" x 2' 6"	1.77
1' 8" x 2' 6"	1.91
2' 0" x 2' 6"	2.13
1' 4" x 3' 0"	1.95
1' 6" x 3' 0"	2.13
1' 8" x 3' 0"	2.37
2' 0" x 3' 0"	2.18
1' 4" x 3' 6"	2.28
1' 6" x 3' 6"	2.51
1' 8" x 3' 6"	2.76
2' 0" x 3' 6"	2.42
1' 4" x 4' 0"	2.55
1' 6" x 4' 0"	2.76
2' 0" x 4' 0"	3.08

TABLE 6—CUPBOARD DOORS—Continued

1 1/8"—1 PANEL WESTERN PONDEROSA PINE—CON.

1' 4" x 4' 6"	\$2.76
1' 6" x 4' 6"	2.91
1' 8" x 4' 6"	3.18
2' 0" x 4' 6"	3.50
1' 4" x 5' 0"	3.08
1' 6" x 5' 0"	3.27
1' 8" x 5' 0"	3.54
2' 0" x 5' 0"	3.95
2' 0" x 6' 0"	4.41
2' 6" x 6' 0"	5.19

TABLE 7—FIR PANEL DOORS

Stock sizes	Thick- ness	F 82 2 regular panel, No. 1	F 82 2 regular panel, No. 2	F 20 1 panel No. 1	F 3 3 panel No. 2
	Inches				
2' 0" x 6' 0"	1 1/4				\$4.59
2' 6" x 6' 0"	1 1/4				5.28
2' 8" x 6' 0"	1 1/4				5.49
1' 6" x 6' 8"	1 1/4	\$5.63	\$5.48	\$5.81	
2' 0" x 6' 8"	1 1/4	5.25	5.12		5.12
2' 6" x 6' 8"	1 1/4	5.49	5.34		
2' 8" x 6' 8"	1 1/4	5.63	5.48	5.81	5.48
2' 0" x 7' 0"	1 1/4	6.68	6.50		
2' 4" x 6' 8"	1 1/4	5.85	5.69		
2' 4" x 6' 8"	1 1/4	5.94	5.78	6.12	5.78
2' 4" x 7' 0"	1 1/4	7.04	6.84		
2' 6" x 6' 8"	1 1/4	6.29	6.12		6.12
2' 6" x 6' 8"	1 1/4	6.02	5.85		5.85
2' 6" x 6' 8"	1 1/4	6.09	5.94	6.27	5.94
2' 8" x 6' 8"	1 1/4	6.81	6.63		
2' 8" x 7' 0"	1 1/4	6.27	6.09	6.45	6.09
2' 10" x 6' 10"	1 1/4	6.98	6.80		
2' 10" x 7' 0"	1 1/4	7.65	7.44		7.44
3' 0" x 7' 0"	1 1/4	7.73	7.52		
	1 3/8	8.09	7.88		7.41

TABLE 8—WESTERN PONDEROSA PINE GLASS DOORS

Stock sizes	Thick- ness	N. D. 500		N. D. 502		N. D. 514		N. D. 530		N. D. 531		N. D. 532		N. D. 559		N. D. 561		N. D. 562		N. D. 567	
		Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed
	Inches																				
2' 6" x 6' 6"	1 3/4																			\$7.40	\$9.39
2' 6" x 6' 8"	1 3/4																			7.44	9.48
2' 8" x 6' 8"	1 3/4	\$8.45	\$10.44	\$9.33	\$12.00	\$7.44	\$9.38	\$8.07	\$8.93	\$8.91	\$9.59	\$9.42	\$11.22	\$7.28	\$10.19	\$8.72	\$10.37	\$9.08	\$11.07	7.65	9.90
3' 0" x 6' 8"	1 3/4													7.59	11.30	9.03	11.91				
2' 10" x 6' 10"	1 3/4	9.14	12.41	10.89	13.80	8.07	11.34	8.76	10.16	9.60	11.54	10.11	12.45	7.89	11.12	9.30	12.18	9.68	12.63	8.24	11.15
2' 8" x 7' 0"	1 3/4	9.03	12.29	10.77	13.83	7.97	10.88	8.61	10.02	9.45	10.62	9.93	12.09							8.19	11.10
2' 10" x 7' 0"	1 3/4	9.23	12.86	10.65	14.18	8.12	11.39	8.81	11.06	9.68	11.60	10.14	12.60							8.34	11.68
3' 0" x 7' 0"	1 3/4	9.45	13.16	11.19	14.51	8.34	12.05	9.03	10.64	9.87	12.02	10.35	12.84	8.12	12.14	9.56	12.78	9.93	13.05	8.49	11.76
2' 6" x 6' 8"	1 3/4					10.19	12.42	10.94	12.51	12.02	13.44	12.00	14.31	10.07	12.98	11.97	13.31	12.48	15.09		
2' 8" x 6' 8"	1 3/4	11.87	14.76	14.27	17.07	10.43	12.18	11.22	11.82	12.30	13.04	12.87	14.70	10.29	13.20	13.67	12.72	14.51	10.71	12.96	
2' 10" x 6' 8"	1 3/4					10.64	13.55	11.51	12.60	12.59	13.70	13.89	16.24						10.94	13.41	
3' 0" x 6' 8"	1 3/4	12.44	15.69	14.85	17.84	10.94	13.41	11.79	13.02	12.87	13.98	13.45	15.66	10.76	14.46	12.66	14.69	13.17	15.09	11.15	14.06
2' 10" x 6' 10"	1 3/4	12.87	16.14	15.32	18.23	11.33	14.60	12.20	14.19	13.29	15.23	13.89	16.24	11.15	14.42	13.05	15.95	13.59	16.55	11.57	14.48
2' 8" x 7' 0"	1 3/4					10.94	13.85														
2' 10" x 7' 0"	1 3/4	12.77	16.04	15.18	18.23	11.22	14.12	12.02	14.03	13.13	14.93	13.69	15.84								
3' 0" x 7' 0"	1 3/4	13.05	16.32	15.47	18.51	11.45	14.70	12.38	14.61	13.46	15.39	14.04	16.50							11.69	14.94
3' 0" x 7' 0"	1 3/4	13.34	17.04	15.75	19.07	11.73	14.58	12.66	14.06	13.74	15.00	14.31	16.80	11.51	15.53	13.41	15.71	13.92	16.11	11.97	15.23

Stock sizes	Thick- ness	N. D. 568		N. D. 569		N. D. 591		N. D. 592		N. D. 594		N. D. 635		N. D. 638		N. D. 641		N. D. 642	
		Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed	Open	Glazed
	Inches																		
2' 6" x 6' 6"	1 3/4	\$8.24	\$9.98	\$8.76	\$10.74														
2' 6" x 6' 8"	1 3/4			8.81	11.10														
2' 8" x 6' 8"	1 3/4	8.49	10.61	9.03	11.01	\$8.34	\$9.15	\$9.08	\$10.11	\$9.53	\$10.73	\$7.92	\$11.94	\$8.34	\$12.06	\$9.08	\$11.88	\$9.60	\$12.69
3' 0" x 6' 8"	1 3/4									10.89	12.24	8.24	12.99	9.41	13.20	9.36	12.57	9.87	13.25
2' 10" x 6' 10"	1 3/4	9.00	11.28	9.60	12.09	10.02	11.06	10.82	11.96	11.31	12.62	8.54	13.31	9.69	14.09	9.65	12.75	10.16	13.50
2' 8" x 7' 0"	1 3/4	9.03	11.18	9.56	12.00							8.49	13.26	9.65	13.98	9.60	12.66	10.11	13.38
2' 10" x 7' 0"	1 3/4			9.72	12.41							8.66	13.43	9.78	14.45	9.74	12.90	10.25	13.58
3' 0" x 7' 0"	1 3/4	9.33	11.91	9.87	12.56	10.52	11.68	11.31	12.48	11.78	13.13	8.81	13.82	9.92	14.03	9.87	13.22	10.40	13.97
2' 6" x 6' 8"	1 3/4																		
2' 8" x 6' 8"	1 3/4	11.79	13.89	12.48	14.46	11.69	12.62	12.57	13.61	13.10	14.31	10.68	14.49	11.82	15.98	12.92	14.90	13.59	15.80
2' 10" x 6' 8"	1 3/4			12.72	15.21														
3' 0" x 6' 8"	1 3/4			12.95	15.44	12.32	13.32	13.20	14.31	13.73	15.03	10.86	15.27	13.38	16.95	13.38	15.72	14.06	16.50
2' 10" x 6' 10"	1 3/4			13.34	15.83	14.03	15.06	15.00	16.14	15.57	16.89	12.30	17.07	13.79	18.18	13.79	16.89	14.45	17.78
2' 8" x 7' 0"	1 3/4																		
2' 10" x 7' 0"	1 3/4			13.46	16.14	14.31	15.35	15.29	16.46	15.87	17.18	12.48	17.25	13.94	18.60	13.94	17.12	14.61	17.94
3' 0" x 7' 0"	1 3/4			13.74	16.43	13.41	14.42	14.31	15.44	14.85	16.14	11.64	16.28	14.15	18.02	14.16	16.58	14.82	17.42

TABLE 15—INSIDE DOOR FRAMES
WESTERN PONDEROSA PINE

Design	Knocked down		Nailed up	
	2'8" x 6'8"	3'0" x 7'0"	2'8" x 6'8"	3'0" x 7'0"
13'6" x 55'6" jamb	\$4.05	\$4.28	\$4.65	\$4.88
Jamb 3'6" x 55'6", stop 1'6"	2.78	2.93	3.38	3.53
Jamb 3'6" x 55'6", no stops	2.25	2.39	2.85	2.99

YELLOW PINE INSIDE DOOR FRAMES

Design	Knocked down		Nailed up	
	2'8" x 6'8"	3'0" x 7'0"	2'8" x 6'8"	3'0" x 7'0"
Jamb 13'6" x 55'6", rub. 2 sides	\$2.88	\$3.18	\$3.48	\$3.78
Jamb 13'6" x 55'6", rub. 1 side	2.28	2.52	2.88	3.12

CASED OPENINGS

Design	Knocked down		Nailed up	
	2'8" x 6'8"	3'0" x 7'0"	2'8" x 6'8"	3'0" x 7'0"
6'0" x 7'0" and smaller	\$2.76	\$3.06	\$3.46	\$3.76
6'0" x 7'0" and smaller	2.26	2.56	2.86	3.16

TABLE 16—LIGHT WINDOWS

4-LIGHT WINDOWS—13'6" CHECK RAIL—CLEAR WESTERN
PONDEROSA PINE

[For lugs, add per window]

13-LIGHT WINDOWS—13'6" CHECK RAIL—WESTERN PON-
DEROSA PINE

[Profit—piled and bored—toxic treated]

Ohio opening

Glazed single strength B

Open

Thick-
ness

Glass size

Glazed single strength B

Open

Thick-
ness

Glass size

Glazed single strength B

Open

Thick-
ness

Glass size

Glazed single strength B

Open

Thick-
ness

Glass size

Glazed single strength B

Open

Thick-
ness

Glass size

Glazed single strength B

Open

Thick-
ness

Glass size

Glazed single strength B

Open

Thick-
ness

Glass size

Glazed single strength B

Open

Thick-
ness

Glass size

TABLE 17—2 LIGHT STORM SASH—Continued
TOXIC TREATED—GLAZED 4 1/2" WIDER AND 5"
LONGER THAN GLASS—Continued

Western Ponderosa Pine—Continued

Glass size	Thick- ness	Glazed
24" x 14"	1 1/2"	\$2.48
24" x 16"	1 1/2"	2.60
24" x 18"	1 1/2"	2.64
24" x 20"	1 1/2"	2.68
24" x 22"	1 1/2"	2.72
24" x 24"	1 1/2"	2.76
24" x 26"	1 1/2"	2.80
24" x 28"	1 1/2"	2.84
24" x 30"	1 1/2"	2.88
24" x 32"	1 1/2"	2.92
24" x 34"	1 1/2"	2.96
24" x 36"	1 1/2"	3.00
24" x 38"	1 1/2"	3.04
24" x 40"	1 1/2"	3.08
24" x 42"	1 1/2"	3.12
24" x 44"	1 1/2"	3.16
24" x 46"	1 1/2"	3.20
24" x 48"	1 1/2"	3.24
24" x 50"	1 1/2"	3.28
24" x 52"	1 1/2"	3.32
24" x 54"	1 1/2"	3.36
24" x 56"	1 1/2"	3.40
24" x 58"	1 1/2"	3.44
24" x 60"	1 1/2"	3.48
24" x 62"	1 1/2"	3.52
24" x 64"	1 1/2"	3.56
24" x 66"	1 1/2"	3.60
24" x 68"	1 1/2"	3.64
24" x 70"	1 1/2"	3.68
24" x 72"	1 1/2"	3.72
24" x 74"	1 1/2"	3.76
24" x 76"	1 1/2"	3.80
24" x 78"	1 1/2"	3.84
24" x 80"	1 1/2"	3.88
24" x 82"	1 1/2"	3.92
24" x 84"	1 1/2"	3.96
24" x 86"	1 1/2"	4.00
24" x 88"	1 1/2"	4.04
24" x 90"	1 1/2"	4.08
24" x 92"	1 1/2"	4.12
24" x 94"	1 1/2"	4.16
24" x 96"	1 1/2"	4.20
24" x 98"	1 1/2"	4.24
24" x 100"	1 1/2"	4.28
24" x 102"	1 1/2"	4.32
24" x 104"	1 1/2"	4.36
24" x 106"	1 1/2"	4.40
24" x 108"	1 1/2"	4.44
24" x 110"	1 1/2"	4.48
24" x 112"	1 1/2"	4.52
24" x 114"	1 1/2"	4.56
24" x 116"	1 1/2"	4.60
24" x 118"	1 1/2"	4.64
24" x 120"	1 1/2"	4.68
24" x 122"	1 1/2"	4.72
24" x 124"	1 1/2"	4.76
24" x 126"	1 1/2"	4.80
24" x 128"	1 1/2"	4.84
24" x 130"	1 1/2"	4.88
24" x 132"	1 1/2"	4.92
24" x 134"	1 1/2"	4.96
24" x 136"	1 1/2"	5.00
24" x 138"	1 1/2"	5.04
24" x 140"	1 1/2"	5.08
24" x 142"	1 1/2"	5.12
24" x 144"	1 1/2"	5.16
24" x 146"	1 1/2"	5.20
24" x 148"	1 1/2"	5.24
24" x 150"	1 1/2"	5.28
24" x 152"	1 1/2"	5.32
24" x 154"	1 1/2"	5.36
24" x 156"	1 1/2"	5.40
24" x 158"	1 1/2"	5.44
24" x 160"	1 1/2"	5.48
24" x 162"	1 1/2"	5.52
24" x 164"	1 1/2"	5.56
24" x 166"	1 1/2"	5.60
24" x 168"	1 1/2"	5.64
24" x 170"	1 1/2"	5.68
24" x 172"	1 1/2"	5.72
24" x 174"	1 1/2"	5.76
24" x 176"	1 1/2"	5.80
24" x 178"	1 1/2"	5.84
24" x 180"	1 1/2"	5.88
24" x 182"	1 1/2"	5.92
24" x 184"	1 1/2"	5.96
24" x 186"	1 1/2"	6.00
24" x 188"	1 1/2"	6.04
24" x 190"	1 1/2"	6.08
24" x 192"	1 1/2"	6.12
24" x 194"	1 1/2"	6.16
24" x 196"	1 1/2"	6.20
24" x 198"	1 1/2"	6.24
24" x 200"	1 1/2"	6.28
24" x 202"	1 1/2"	6.32
24" x 204"	1 1/2"	6.36
24" x 206"	1 1/2"	6.40
24" x 208"	1 1/2"	6.44
24" x 210"	1 1/2"	6.48
24" x 212"	1 1/2"	6.52
24" x 214"	1 1/2"	6.56
24" x 216"	1 1/2"	6.60
24" x 218"	1 1/2"	6.64
24" x 220"	1 1/2"	6.68
24" x 222"	1 1/2"	6.72
24" x 224"	1 1/2"	6.76
24" x 226"	1 1/2"	6.80
24" x 228"	1 1/2"	6.84
24" x 230"	1 1/2"	6.88
24" x 232"	1 1/2"	6.92
24" x 234"	1 1/2"	6.96
24" x 236"	1 1/2"	7.00
24" x 238"	1 1/2"	7.04
24" x 240"	1 1/2"	7.08
24" x 242"	1 1/2"	7.12
24" x 244"	1 1/2"	7.16
24" x 246"	1 1/2"	7.20
24" x 248"	1 1/2"	7.24
24" x 250"	1 1/2"	7.28
24" x 252"	1 1/2"	7.32
24" x 254"	1 1/2"	7.36
24" x 256"	1 1/2"	7.40
24" x 258"	1 1/2"	7.44
24" x 260"	1 1/2"	7.48
24" x 262"	1 1/2"	7.52
24" x 264"	1 1/2"	7.56
24" x 266"	1 1/2"	7.60
24" x 268"	1 1/2"	7.64
24" x 270"	1 1/2"	7.68
24" x 272"	1 1/2"	7.72
24" x 274"	1 1/2"	7.76
24" x 276"	1 1/2"	7.80
24" x 278"	1 1/2"	7.84
24" x 280"	1 1/2"	7.88
24" x 282"	1 1/2"	7.92
24" x 284"	1 1/2"	7.96
24" x 286"	1 1/2"	8.00
24" x 288"	1 1/2"	8.04
24" x 290"	1 1/2"	8.08
24" x 292"	1 1/2"	8.12
24" x 294"	1 1/2"	8.16
24" x 296"	1 1/2"	8.20
24" x 298"	1 1/2"	8.24
24" x 300"	1 1/2"	8.28

TABLE 20—EXTERIOR DOOR FRAMES

WESTERN PONDEROSA PINE

For frame construction (5/4-inch wall)—1 1/2 outside casing

	With oak sill	No sill
2'8" x 6'8"	\$8.85	\$5.99
3'0" x 6'8"	9.44	6.15
3'0" x 7'0"	9.69	6.38

Add for nailing up \$0.90.

Garage door frame

Jamb—1 3/4 x 5/4 inch western ponderosa pine (no outside casing or sill) not over 8'0" x 8'0"—knocked down \$6.75

Door frame extras

Transom door frames (transom not over 1'6" high, add \$3.38)

Side light door frame, figure 3 times price of single.

Circle top door frame, add to price of square head frame \$9.53

For 9 inch masonry construction (no sill)

	Knocked down	Nailed up
2'8" x 6'8"	\$6.50	\$7.40
3'0" x 6'8"	6.60	7.50
3'0" x 7'0"	6.83	7.73

For 10 inch furred brick wall

	Knocked down	Nailed up
2'8" x 6'8"	\$8.55	\$9.45
3'0" x 6'8"	9.14	10.04
3'0" x 7'0"	9.45	10.35

For 13 inch masonry construction

	Knocked down	Nailed up
2'8" x 6'8"	\$10.71	\$11.61
3'0" x 6'8"	10.88	11.78
3'0" x 7'0"	11.25	12.15

Treating door frames with "wood-life" preserver... \$0.54

TABLE 21—EXTERIOR WINDOW FRAMES

WESTERN PONDEROSA PINE

Important joints treated with wood preserver

Glass size 2-lights	5 1/4" frame wall—1 1/2 outside casing		9" brick wall all head and sill	
	Heads and sills	Sides	Heads and sills	Sides
12"		\$2.30		
14"	\$1.34	2.51	\$1.20	\$3.06
16"	1.44	2.65	1.28	3.25
18"	1.70	2.82	1.35	3.53
20"	1.79	3.08	1.44	3.81
22"	1.89	3.24	1.67	4.05
24"	1.98	3.38	1.74	4.28
26"	2.07	3.53	1.83	4.47
28"	2.15			
30"	2.15	3.66	1.91	4.86
32"	2.31	3.95	1.98	4.92
34"	2.49	4.11	2.07	5.39
36"	2.67	4.52	2.31	5.90
40"	2.97		2.49	

Glass size 2-lights	"Unique balance" frame	
	Heads and sills	Sides
14"	\$1.28	\$1.64
16"	1.35	1.79
18"	1.44	1.97
20"	1.55	2.13
22"	1.76	2.30
24"	1.85	2.45
26"	1.95	2.57
28"	2.00	
30"	2.03	2.72
32"	2.10	2.91
34"	2.21	3.18
36"	2.48	3.54
40"	2.66	

Window frame extras

For nailing-up (N. U.) add to above \$0.90

Mullion frames, add to price of 2 single frames... .45

Triple frames, add to price of 3 single frames... 1.20

For brick house frames with moulded hanging style instead of plain, add... .60

For cutting down heads and sills, add... .90

For cutting down sides, add... .90

Long sill horns for corner construction, add to price of regular head and sill... .90

For frame house frame, add for hanging stile instead of casing... 1.14

TABLE 22—PORCH WORK

FIR

Colonial columns			Turned columns	
Sizes	Round cap and base	Paneled cap and base	Sizes	Turned center
6 inch x 8 feet	\$5.40		4" x 4", 8 feet	\$2.37
8 inch x 8 feet	6.15	\$6.00	5" x 5", 8 feet	3.69
8 feet	6.75	7.47	6" x 6", 8 feet	5.31
10 inch x 8 feet	9.12	9.42	6" x 6", 10 feet	6.66
9 feet	10.38	10.41		
12 inch x 8 feet		11.19		
9 feet		12.30		

Add for splitting columns, \$0.75.

FIR PORCH NEWELS

Size	Square paneled—cap and base	Size	Square—turned cap
8 inch x 4 feet	\$4.08	5" x 5" x 4 feet	\$1.85
10 inch x 4 feet	5.16	6" x 6" x 4 feet	2.06

Opinion Accompanying Revised Order No. G-17 Under General Order No. 68

On March 25, 1946, Order No. G-17 under General Order No. 68 became effective. This order established maximum prices or pricing methods for all stock millwork items sold at retail in the

Athens, Ohio Area. This order has been amended once and is now revised.

The accompanying revised order differs from the previous order in the following respects:

1. Percentage increases have been provided for certain general categories of stock millwork items listed in the Tables.

These increases are made for the purpose of allowing retail distributors their average current costs of acquisition plus such average percentage markups as were in effect on March 31, 1946. Any additional price increases granted to resellers subject to the accompanying order shall be taken subject to section 6 of Basic Order No. 1-B.

2. The price lists for Fir Glass Doors, Fir Panel Doors and Garage Doors have been amended to read as they did prior to Amendment No. 1 to Order No. G-17. The percentage increases provided in the accompanying Revised Order include the increases granted for these items by said Amendment No. 1.

In the opinion of the Regional Administrator, the provisions of the accompanying revised order are fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and General Order No. 68, as amended.

[F. R. Doc. 46-19261; Filed, Oct. 24, 1946; 8:46 a. m.]

[Springfield Order G-12 Under Gen. Order 68]

BUILDING MATERIALS IN MASON COUNTY, ILL., AREA

Order No. G-12 under General Order 68. Maximum prices for retail sales of selected hard building materials in the Mason County, Illinois, area. File No. 6SD-GO 68-12.

For the reasons set forth in an opinion issued simultaneously herewith, and pursuant to the provisions of General Order 68, it is ordered:

SECTION 1. *What this order covers.* This order covers all retail sales made by any seller, except the manufacturer, of commodities specified in Appendix A attached hereto delivered to the purchaser in the Mason County area, which for the purposes of this order consists of the area within the limits of the county of Mason, Ill.

SEC. 2. *Definitions.*—(a) *Retail sale.* For the purposes of this order a retail sale means a sale to an ultimate user, or to any contractor, provided that for the purposes of this order, a "retail sale" shall not include any sale to the United States Government or any of its political subdivisions.

(b) *Contractor.* Any person who sells material or equipment, and in connection therewith, assumes responsibility for its incorporation into a building, structure, or construction project at a fixed site, by charging a single price for the commodity installed, by guaranteeing performance and use, or by other objective evidence, shall be considered a contractor.

(c) *Applicators.* Purchases by applicators, as herein defined, of asphalt and tarred roofing products and insulation are excluded from the coverage of this order. Applicators are herein defined as contractors engaged exclusively in the business of applying roofing and/or siding and/or insulation to buildings.

SEC. 3. *Relation to other regulations.* The maximum prices fixed by this order supersede any maximum price or price-

ing method previously fixed by any other regulation or order covering the commodities specified in the Appendix A. Except to the extent that they are inconsistent with the provisions of this order, all other provisions of the regulation applicable to the commodities listed in Appendix A prior to the issuance of this order shall continue to apply to sales covered by this order.

SEC. 4. Maximum price, discounts, and delivery practices. On and after the date of this order, regardless of any contract, agreement or other obligation, no person covered by this order shall sell, offer to sell, or deliver at retail as herein defined, any of the items listed in Appendix A attached hereto, at prices higher than the maximum prices set forth in this appendix. All prices include free delivery within the limits of the city or town where the seller maintains a place of business. For other deliveries outside the free delivery zone no charge may be made for deliveries in excess of the charges now legally in effect by such seller for a similar delivery.

SEC. 5. Posting. Every seller making sales covered by this order shall post a copy of the list of maximum prices for sales to all classes of purchasers as contained in Appendix A of this order in each of his places of business in the area covered by this order in a manner plainly visible to all purchasers. For the convenience of the seller there are attached to this order two copies of Appendix A containing the items covered with the respective maximum prices applicable. One copy of such list may be detached and used as a poster hereinbefore required to be posted.

SEC. 6. Sales slips and records. Every seller covered by this order must provide the purchaser, whether he requests it or not, with a sales slip, invoice, receipt, or other evidence of sale of which an exact and full copy shall be retained by the seller for the duration of the Emergency Price Control Act of 1942, as amended. The sales slip or other evidence of sale shall contain the following information with respect to items subject to this order:

1. Name and address of seller.
2. Date of sale.
3. Name and address of purchaser (necessary only on sales of items totaling \$7.50 or more).
4. Description of the item sold, including quantity, grade, and any other matter insofar as any of those matters may affect the price, in full detail necessary to permit the exact calculation of the applicable maximum price.
5. Charges, if any, for delivery beyond the free delivery zone to be separately listed from the price of the item.
6. The total price.

Each such seller shall also keep such records of each sale as he customarily kept.

SEC. 7. On and after the effective date of this order any person covered by this order who sells or offers to sell at a price higher than the ceiling price permitted by this order, or otherwise violates any of the provisions of this order,

shall be subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages as provided for by the Emergency Price Control Act of 1942, as amended.

No person subject to this order may evade any of the provisions of the order by any stratagem, scheme, or device. No person subject to this order, may as a condition of selling any particular building material, require a customer to buy anything else. Any such evasion is punishable as a violation of this order.

This order may be modified, amended, or revoked at any time.

This order shall become effective October 9, 1946.

Issued this 2d day of October 1946.

BEN J. BECKER,
Deputy District Director.

APPENDIX A—MAXIMUM PRICES FOR RETAIL SALES OF BUILDING MATERIALS IN THE MASON COUNTY, ILLINOIS, AREA

PROVISIONS REGARDING DISCOUNTS, ALLOWANCES AND DELIVERY PRACTICES

Cash discounts. Sellers shall continue to allow all customary allowances and discounts, or other price differentials as required by the regulation applicable to the commodity being sold.

For all deliveries. All prices include free delivery within the limits of the city or town where the seller maintains a place of business. For deliveries outside the free delivery zone no charge may be made for delivery in excess of the charges now legally in effect by such seller for a similar delivery.

MAXIMUM PRICES TO ALL PURCHASERS

Item and unit of sale	Area price
Plaster:	
Hard plaster, hair fiber, 100 lb. bag	\$1.10
Hard plaster, hair fiber, ton	22.00
Hard plaster, wood fiber, 50 lb. bag	.70
Plaster, gaging, white, 100 lb. bag	1.50
Keene's cement, 100 lb. bag	2.50
Lime:	
Lime, finishing, 50 lb. bag	.90
Mason's hydrated lime, 50 lb. bag	.84
Gypsum products:	
Gypsum rock lath, sq. ft.	.03
Gypsum sheet rock, sq. ft.	.045
Metal lath:	
Metal lath, corner bead, plain, lin. ft.	.047
Metal lath, corner bead, expanded type, lin. ft.	.053
Cement products:	
Portland cement std (paper bags), 94 lb. bag	.815
Masonry mortar, 70 lb. bag	.735
Clay products:	
Clay drain tile, 4", lin. ft.	.0983
Clay drain tile 6", lin. ft.	.1545
Vitrified clay sewer pipe 4", lin. ft.	.25
Vitrified clay sewer pipe 6", lin. ft.	.41
Vitrified tile 4" T's, L's and Y's, each	1.15
Vitrified tile 6" T's, L's and Y's, each	1.527
Vitrified sewer traps, 4" RPS and HH, each	2.64
Vitrified sewer traps, 6" RPS and HH, each	3.39
Flue linings:	
8 1/2 x 8 1/2", lin. ft.	.434
8 1/2 x 13", lin. ft.	.636
13 x 13", lin. ft.	.81

MAXIMUM PRICES TO ALL PURCHASERS—con.

Item and unit of sale	Area price
Roofing:	
Roll roofing, smooth surface, 35 lb. roll	\$1.31
Roll roofing, smooth surface, 45 lb. roll	2.10
Roll roofing, smooth surface, 55 lb. roll	2.62
Roll roofing, smooth surface, 65 lb. roll	3.14
Asphalt roofing, 90 lb. mineral surface, square	3.03
Asphalt shingles:	
Thickbutt, 210 lb., square	7.38
167 lb., hexagon, square	5.96
Asphalt or tarred felt:	
15 lb., 432 square feet, roll	3.40
30 lb., 216 square feet, roll	3.40
Slater's felt, 30 lb., roll	1.83
Insulation material:	
Asbestos board:	
Stonewall 3/16", sq. ft.	.09
Stonewall 1/4", sq. ft.	.095
Fiber board standard 1/2", sq. ft.	.054
Asphalt sheathing 2 3/4", sq. ft.	.084
Insulation bevel tile 1/2", 16 x 16, 12 x 12, 12 x 24, 16 x 32, sq. ft.	.069
Presswood, standard hard 1/8", sq. ft.	.08
Presswood, tempered 1/4", sq. ft.	.095
Sisalcraft paper, all widths, sq. ft.	.0115
Red rosin building paper, 30 lb. roll	1.50
Asbestos cement siding, 12 x 24 x 27, standard colors, square	8.61
Asphalt roll brick siding, 105 lb., square	3.79
Insulation blankets (paper backed) balsam wool, single 1/2", sq. ft.	.05
Insulation blankets (paper backed) balsam wool, double thick 1", sq. ft.	.065
Rock wool batts:	
2", sq. ft.	.052
Full thick, sq. ft.	.065
Zonolite 23 lb., bag	1.15

Opinion Accompanying Order No. G-12, G-13 and G-14 Under General Order No. 68

General Order No. 68, as amended, effective September 16, 1945, issued by the Price Administrator authorizes each Regional Administrator of the Office of Price Administration and any District Director, who may be authorized by the Regional Administrator, to issue and put into effect orders establishing maximum prices, applicable to a particular community or defined area for sales by all persons.

Maximum prices for the commodities in question are, at the manufacturing level, established by specific regulations. Maximum prices for resellers are generally established under the General Maximum Price Regulation or on the basis of GMPR prices. The GMPR freezes the prices charged during March, 1942, and provides an alternative formula pricing method for items not sold during March, 1942. The techniques of freezing prices or pricing formula create difficulties with respect to proper compliance and enforcement which can be eliminated through the use of specific dollars-and-cents prices. In view of the lack of uniformity in prices throughout the country for the same kind of building materials, it is not always possible or desirable to spell out uniform prices for the entire country, at the distribution

levels. Each District Director is best fitted to appraise the needs of the communities in his Area and to take appropriate action. For this reason, it has been deemed advisable for the Regional Administrator to delegate to each District Director the authority to issue and put into effect orders establishing maximum prices for areas within the bounds of his district.

Order No. G-12 under General Order 69 covers the area within the County of Mason, Illinois; Order No. G-13 covers the area within the County of McLean, Illinois, except the area covered by (Peoria) Order No. G-2 for the Bloomington-Normal, Illinois area, and Order No. G-14 covers the area within the Counties of Kankakee, Will and Kendall, Illinois, except the area covered by (Peoria) Revised Order No. G-3 for the Joliet, Illinois area, and (Peoria) Revised Order No. G-8 for the Kankakee, Illinois area. These orders, effective October 9, 1946, establish dollars-and-cents prices at retail for the commodities specified in Appendix A of the order. All maximum prices include free delivery within the limits of the city or town where the seller maintains a place of business. For deliveries outside the free delivery zone the seller shall make no charge for deliveries in excess of those now in effect. All sellers are required to maintain all customary allowances and discounts. In determining the appropriate price for each item of hard building materials covered by Orders Nos. G-12, G-13 and G-14, due consideration has been given to the provisions of all applicable regulations, as severally amended. Where increases were granted manufacturers, the uniform area price has been fixed, under the adopted standards, to reflect the permitted increased markup for dealers, in accordance with the provisions of the Emergency Price Control Act of 1942, as amended. The maximum prices established by these orders therefore do not exceed the general level of prices established under the applicable regulations.

All provisions of these orders and their effect upon business practices, cost practices or methods, or means or aids to distribution in the industry or industries affected have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, aids or methods established in the industry or industries affected, have been included in the orders unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the orders or of the Act. To the extent that the provisions of these orders compel or may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of these orders or of the Emergency Price Control Act of 1942, as amended.

[F. R. Doc. 46-19414; Filed, Oct. 25, 1946; 8:58 a. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 150]

SOLID FUELS IN FARGO-MOORHEAD, N. DAK., AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 22, paragraph (b), subparagraphs I to VIII are amended to read as follows:

PRICE SCHEDULE

Description	1 ton, per ton	Carload, per ton	50-ton user, per ton
I. Low volatile bituminous coal from district No. 7 (southern West Virginia and northwestern and central Virginia):			
1. Lump, egg and stove	\$17.89	\$15.64	\$16.39
2. Nut	16.44	14.19	14.94
3. Stoker	14.14	12.79	13.54
4. Screenings	13.49	12.14	12.89
II. High volatile bituminous coal from district No. 8 (eastern Kentucky, southwestern Virginia, western Virginia, northern Tennessee and North Carolina):			
1. Lump:			
A. Millers Creek, Hi Splint and No. 5 seams	16.02	14.27	15.02
B. Dorothy or No. 5 block seams	15.42	13.52	14.27
2. Egg:			
A. Millers Creek, Hi Splint and No. 5 seams	15.77	13.97	14.72
B. Elkhorn and Harlan seams	15.27	13.27	14.02
C. Dorothy, No. 5 block and Island Creek seams	15.22	13.22	13.97
3. Stove:			
A. Millers Creek, Hi Splint and No. 5 seams	15.52	13.77	14.52
B. Elkhorn seam	15.32	13.57	14.32
4. Stoker	14.22	12.87	13.62
5. Screenings:			
A. Millers Creek, Hi Splint, No. 5 and Elkhorn seams	13.27	11.92	12.67
B. Dorothy, No. 5 block and Island Creek seams	13.02	11.67	12.42
III. Lignite coals from district No. 21 (North Dakota-South Dakota):			
1. Lump and furnace	\$6.96	6.16	6.66
2. Stove	6.56	5.76	6.26
3. Stoker	6.26	5.51	6.01
IV. High volatile bituminous coal from district No. 22 (Montana):			
A. Roundup and Bull Mountain subdistricts Nos. 1 and 9 (all mines in Musselshell, Treasure, Yellowstone, and Golden Valley Counties):			
1. Lump and egg size group Nos. 1 and 6, inclusive (all lump coals bottom size larger than 1 1/2"; all double screened coals top size larger than 2" and bottom size 1 1/2" and larger)	15.04	13.14	13.89
2. Nut size group Nos. 7 and 8 (all double screened nut coals top size not exceeding 2" and bottom size larger than 1 1/2" but not exceeding 1 1/2")	12.69	11.04	11.79
3. Stoker size group Nos. 5 (all double screened stoker coals top size not exceeding 1 1/2" and bottom size not exceeding 1 1/2")	12.19	10.44	11.19
V. Anthracite: 1. Egg, stove and nut			
21.79			
VI. By product coke:			
1. Stove and nut—Zenith Eastern	18.50	17.05	17.80
2. Pea—Zenith Eastern	17.50	16.05	16.80
3. Stove, nut and pea local city	16.15		
VII. Briquettes:			
1. Glen Rogers	16.72	14.97	15.72
2. Berwind	16.62	14.87	15.62
3. Stott	16.59	14.84	15.59
4. Lignite	15.86	13.86	14.61

On sales of coal delivered within the State of North Dakota, the above prices include the North Dakota Sales Tax, which may not be added to the above prices by the dealer.

In Appendix No. 22, paragraph (d), Discounts, is amended to read as follows:

(d) Discounts. The maximum prices set forth in section (b) shall be subject to the following discounts:

1. On sales to purchasers at the one ton delivered price, if payment is made on delivery or within 10 days therefrom a discount of 3 per cent shall be given.

2. On sales of coal picked up at the yard by all purchasers except dealers, carload delivered purchasers, or 50 ton users, a discount of 75¢ per ton shall be given.

The maximum prices set forth above for sales of the solid fuels subject to this amendment reflect all increases in maximum prices for such sales granted in the past by the Office of Price Administration. Therefore, the above prices may not be increased except pursuant to future adjustments made by this office.

This Amendment No. 150 to Order No. G-16 under Revised Maximum Price Regulation No. 122 shall become effective October 5, 1946.

Issued this first day of October 1946.

DEAN O. BOWMAN,

Acting Regional Administrator.

Opinion Accompanying Amendment No. 150 to Order No. G-16 Under Revised Maximum Price Regulation No. 122

Under § 1340.260 of Revised Maximum Price Regulation No. 122 the Regional Administrator for Region VI of the Office of Price Administration may by order establish specific maximum prices in line with those established by that regulation for deliveries of solid fuels made, or for services rendered in connection therewith, or both, by a group or group of dealers in an area or locality. In connection with such prices, appropriate reporting, record keeping or other requirements may be made of the dealer or dealers involved. If, after such specific maximum prices are established by order, the maximum prices of the dealers' suppliers are increased or decreased by the Price Administrator, the order may be amended to reflect such increase or decrease.

The maximum prices in the accompanying amendment supersede and reflect price increases granted by the following documents or actions:

1. Revised Regional Order No. G-5 under Maximum Price Regulation No. 121, granting increased prices for lignite produced in certain mines in North Dakota.

2. Regional Order No. G-32 under Revised Maximum Price Regulation No. 122, reflecting an increase granted by Amendment 40, and provisions of Amendment 42 to that regulation.

3. Regional Order No. G-33 under Revised Maximum Price Regulation No. 122 reflecting the increases under Amendment No. 21 to Maximum Price Regulation 112 to producers of Pennsylvania anthracite for dealers obtaining such coal from certain docks in Region VI.

4. Regional Order No. G-35 under Revised Maximum Price Regulation No. 122, reflecting increases, under Amendment No. 158 to Maximum Price Regulation 120, to producers of solid fuels other than anthracite.

5. Regional Order No. G-38 under Revised Maximum Price Regulation No. 122 reflecting increases granted to all dealers including dock dealers for sales of solid fuels obtained or distributed at docks by Amendments 44 and 45 to Revised Maximum Price Regulation No. 122. These

increases equal those granted to mine operators, to offset wage increases.

6. Regional Order No. G-39 under Revised Maximum Price Regulation No. 122, reflecting increases granted by Amendment No. 5 to Maximum Price Regulation No. 29.

7. Regional Order No. G-40 under Revised Maximum Price Regulation No. 122, reflecting certain increases for sales of solid fuels by dock dealers granted by Amendments No. 47 and 48 to Revised Maximum Price Regulation No. 122.

8. Amendment Nos. 46, 47 and 48 to Revised Maximum Price Regulation No. 122.

9. A report relating to prices for briquettes filed with the National Office of the Office of Price Administration.

[F. R. Doc. 46-19402; Filed, Oct. 25, 1946; 8:53 a. m.]

[Region III Order G-110 under Gen. Order 68]

HARD BUILDING MATERIALS IN TOLEDO, OHIO AREA

For the reasons set forth in an opinion, which has been filed with the Division of the Federal Register, and pursuant to the provisions of General Order No. 68, and of Regional Basic Order No. 1-B under General Order No. 68, this order is issued:

SECTION 1. What this order does. This adopting order establishes dollars-and-cents maximum prices for the hard building materials listed in Table I, hereof, when sold at retail at or from any point within the Toledo, Ohio Area.

SEC. 2. Area covered. For the purposes of this order, the "Toledo, Ohio Area" consists of the County of Lucas in the State of Ohio.

SEC. 3. Applicability of Basic Order No. 1-B. All the provisions of Basic Order No. 1-B, consistent with this Order No. G-110 are hereby adopted by, and incorporated by reference into, this order as though fully rewritten herein. If Basic Order No. 1-B is amended in any respect, all of the provisions of that order, as amended, shall likewise, without other action, be a part of this order.

All persons subject to this adopting order are also subject to, and should read and be familiar with, the provisions of Basic Order No. 1-B.

SEC. 4. Maximum Prices. (a) *Price list.* The maximum prices for hard building materials covered by this order shall be those set forth in Table I, which is annexed to, and made a part of, this order. Prices lower than the listed maximum prices may, of course, be charged or paid.

(b) *Delivery.* (i) No seller shall charge more for delivery of items covered hereby than he did in March, 1942, for the same or similar delivery service.

(ii) No deduction need be made from the prices set forth in Table I, where the purchaser elects to make his own delivery.

(c) *Discounts.* (i) No seller covered hereby shall discontinue or reduce any allowances or discounts which he offered in March, 1942.

(ii) Sellers shall grant discounts of not less than two percent (2%) of the maximum prices established on all sales to contractors, industries and political subdivisions provided such buyers make payment for the items on or before the tenth day of the month following the month in which the sale was made.

SEC. 5. Effective date. This Order No. G-110 shall become effective October 14, 1946.

Issued September 30, 1946.

J. F. KESSEL,
Regional Administrator.

The prices listed in this order include all increases granted to resellers by the OPA through August 8, 1946 (See sec. 6 (b) of Basic Order No. 1.)

TABLE I—MAXIMUM PRICES FOR SALES AT RETAIL OF LISTED HARD BUILDING MATERIALS IN THE TOLEDO, OHIO, AREA

Commodity	Unit	Price
Plaster:		
Hardwall.....	Ton.....	\$16.00
Hardwall.....	100-lb. sack.....	.80
Gauging, gray.....	Ton.....	16.00
Gauging, gray.....	100-lb. sack.....	.80
Moulding.....	Ton.....	38.00
Moulding.....	100-lb. sack.....	1.90
Sanded.....	Ton.....	14.00
Sanded.....	100-lb. sack.....	.70
Keene's cement.....	100-lb. sack.....	1.80
Finishing lime.....	50-lb. sack.....	.54
Gypsum lath, 3/8 in.....	1,000 sq. ft.....	22.00
Metal lath:		
2.5 lb., painted diamond mesh.....	Sq. yd.....	.2509
3.4 lb., painted diamond mesh.....	Sq. yd.....	.3009
3.4 lb., 3/8 in. high rib painted.....	Sq. yd.....	.3363
Corner bead, expanded type.....	Lin. ft.....	.0428
Corner bead, wing type.....	Lin. ft.....	.033
Cornerite, 2 in.....	Lin. ft.....	.0163
Portland cement, standard (paper bags).....	94-lb. sack.....	.665
Masonry mortar (paper sacks).....	70-lb. sack.....	.645
Mason's hydrated lime.....	50-lb. sack.....	.43
Waterproof cement (gray).....	94-lb. sack.....	.915
Clay drain tile:		
4 in.....	Lin. ft.....	.066
6 in.....	Lin. ft.....	.1127
Vitrified clay sewer pipe, No. 18S:		
4 in.....	Lin. ft.....	.1847
6 in.....	Lin. ft.....	.2753
Flue lining:		
8 in. x 8 in. (inside measurement).....	Lin. ft.....	.3705
8 in. x 12 in. (inside measurement).....	Lin. ft.....	.536
12 in. x 12 in. (inside measurement).....	Lin. ft.....	.754
Gypsum wallboard, 3/8 in.....	1,000 sq. ft.....	40.00
Thermal insulation, blankets, thick, paper backed.....	1,000 sq. ft.....	70.00

Delivery: (i) No seller shall charge more for delivery of items covered hereby than he did in March, 1942, for the same or similar delivery service.

(ii) No deduction need be made from the prices set forth in Table I, where the purchaser elects to make his own delivery.

Discounts: (i) No seller covered hereby shall discontinue or reduce any allowances or discounts which he offered in March, 1942.

(ii) Sellers shall grant discounts of not less than two percent (2%) of the maximum prices established on all sales to contractors, industries and political subdivisions provided such buyers make payment for the items on or before the tenth day of the month following the month in which the sale was made.

Opinion Accompanying Order No. G-110 Under General Order No. 68

The accompanying order establishes area-wide prices for retail sales of hard building materials in the Toledo, Ohio Area. The order is issued under the provisions of General Order No. 68 and adopts all the applicable provisions contained in Basic Order No. 1-B under General Order No. 68. The opinion accompanying said Basic Order No. 1-B is hereby incorporated by reference into this opinion.

The defined area covered by the accompanying order includes the County of Lucas in the State of Ohio.

The maximum prices established by the accompanying order supersede pricing provisions currently in effect for retail sales of the listed hard building materials in this area.

This action has been discussed with members of the trade in the area at informal meetings with representative dealers. Most of the dealers in attendance agreed that prices established by the accompanying order are in line with those formerly prevailing under the freeze. All suggestions and recommendations of the trade have been considered and have been incorporated into the accompanying order to the extent that these suggestions were consistent with the provisions of General Order No. 68 and the Emergency Price Control Act of 1942.

In the opinion of the Regional Administrator, the provisions of the accompanying order are fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and of General Order No. 68, as amended.

[F. R. Doc. 46-19029; Filed, Oct. 22, 1946; 8:52 a. m.]